A photograph of a Halloween-themed still life. In the background, a carved pumpkin with a simple face sits on a wooden crate. Next to it are several beer bottles, including one labeled 'TIGER'. In the foreground, another carved pumpkin with a more expressive face is visible, surrounded by more beer bottles and a pile of dry leaves. The scene is dimly lit, creating a moody atmosphere.

QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 32, n°5
26 octobre 2010 | October 26th 2010

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QUID NOVI

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WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publié qu'à la
discretion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").

QUID NOVI
EDITORIAL
STAFF

Editorial (Uncensored):

Please note: The following editorial is in response to Tim Bottomer's article which can be found on page 6 of this issue.

Tim Bottomer's article of this week, "Actually, Quid Editorial Staff, You do Believe in Censorship" provides a golden opportunity to elucidate our Editorial Policy ["Policy"], available on our website at:
<http://quid.mcgill.ca/edpolicy.php>.

The Quid has had – since its inception – a policy on submissions. The current Policy was published in the first issue of this semester and has been in operation since its adoption this past March. Previous changes to the Policy may have gone unremarked – the last modification was in early 2009 when the ban on anonymous submissions was lifted. One of the benefits to you, the reader, of the new Policy is that it requires us to inform readers of changes and proposed changes whereas before such changes could occur with no announcement and at any time.

Prior to the current Policy, the review process was unclear, as the Editors-in-Chief had essentially possessed unfettered discretion over content and how to process submissions. There were always published guidelines to editors – such as signaling the use of racist or sexist language for review by the Editors-in-Chief – but a full protocol and process was not spelled out until this past spring. That said, what appears in the Policy now has essentially been

the custom and practice of the Quid Novi since the 1980s.

When a submission is received, it goes to a Reviewer, the first person to apply the Policy to the submission. Concerns are flagged for the review of the Editors-in-Chief. If there is a concern that needs to be addressed with the author, an Editor-in-Chief (or the Ombudsman) will contact the student to discuss the matter. The Policy permits the Editors-in-Chief to pursue one of four options: [a] accept the submission as is; [b] accept the submission with minor edit(s) to be completed by the Editors-in-Chief; [c] return the submission to the author for modification with suggestions provided at the discretion of the Editors-in-Chief, or, alternatively, [d] reject the submission without providing modification suggestions.

This review process has sparked many fruitful discussions with authors in the past. Usually, if there is a concern, the author is more than happy to make a minor change here or there – and it's usually something about which the author had reservations already. It is extremely rare that someone is blindsided by a call that there is a concern over the submission – in most cases the person is aware something might be problematic, or even forewarns us in their submission e-mail (i.e. 'I'm not sure if this one part is okay'). Usually, a minor change is suggested, accepted, and the article is printed. Indeed, only ONE article in the last three years has been rejected; conversely, hundreds of items have

been published in that time.

Mr. Bottomer's quoting of the Editorial published three weeks ago skips a line we would like to emphasize. Between "Simply put, we are against censorship" and "That said, we have a delicate balance to strike", there is a line reading "We want to publish what you send our way". *This is truly how we feel.* We cannot publish everything you send for a host of reasons, including, for example, the well-established laws restricting what one may publish in Canada.

Does the Quid censor? What is censorship? *Merriam-Webster* says to censor is "to examine in order to suppress or delete anything considered objectionable". Clearly, the Quid has published plenty of objectionable material. Arguably, the most interesting articles we publish have something objectionable in them.

Continued on page 42...

THOMAS
GAGNON-VAN
LEEUVEN

LES BULLES

Quand j'ai visité la ville de New York pour la première fois, quelque chose m'a irrité. Ce n'était pas qu'il y avait énormément de gens (j'aime les gens), qu'il faisait trop froid (je suis habitué) et certainement pas qu'il y avait de l'art partout (il ne peut jamais y avoir trop d'art).

C'était que tout était en anglais.

Les rues, les panneaux, les conversations autour de moi, les dépliants du Metropolitan... Tout. Je n'avais jamais été immergé à ce point dans l'anglais et après trois jours, j'ai ressenti un certain soulagement à la vue du "Bonjour! Québec" à la frontière.

De la maternelle au Cégep, j'ai toujours appris en français, lu en français et écrit en français. Oui, bien sûr, dans mes cours d'"Advanced English", j'ai lu Shakespeare et composé des Short Stories — qui semblaient vraiment géniales à l'époque, soit dit en passant. But that's a far cry from an English education.

Heureusement pour le bilingue que je suis, j'ai été élevé par une mère francophone et un père anglophone. J'ai toujours eu autant d'amis anglophones que francophones. C'est au point où je change la langue de mon clavier d'iPod touch chaque cinq minutes (non, je ne veux pas écrire "thé", je veux écrire "the"!).

C'était donc seulement naturel que je choisisse la faculté de droit de McGill. Dans une université 100% anglaise, je souffrirais sans doute de mon particulier étouffement new-yorkais. Et en français? Soyons honnêtes, le Québec n'est qu'une bulle francophone dans notre vaste continent. C'est beau la Gaspésie, mais parfois on veut pousser jusqu'à la Baie de Fundy. Bref, McGill : des cours en français et en anglais, un amalgame de droit civil et de Common Law, des envois administratifs bilingue to a fault (non mais really!)... Je devrais être dans mon élément, non?

En réalité, à la manière du Québec en Amérique du Nord, le français existe à la Faculté de droit dans des bulles. Des bulles dynamiques et fréquentes, mais néanmoins entourées d'une atmosphère distinctement anglaise. Quand deux francophones se rencontrent, une bulle. Quand un étudiant pose une

question en français, une bulle. Une lecture en français? Elle est peut-être ardue, peut-être courte, mais dans la plupart des cours, c'est sans doute une bulle. Exagération? Feuilletez le Quid que vous tenez dans vos mains... Cet article est une bulle en soi.

À la fin de ma première semaine à McGill, j'ai rencontré Chanel, charmante co-éditrice en chef du Quid Novi. Pendant toute une soirée, on a discuté de tout et de rien. Au retour, marchant à la limite de Montréal et Westmount, je lui demande: "So, if you went to Cégep de l'Outaouais, would you be francophone by any chance?"

— Euh... oui. Et toi?

— Moi aussi..."

Deux francophones se parlent en anglais pour plusieurs heures croyant que l'autre était plutôt anglophone. Trouvez l'erreur.

La langue par défaut, c'est l'anglais. Si on approche quelqu'un dont on ne connaît pas la langue maternelle, c'est toujours en anglais qu'on le fera. If you want this in contract law terms — I know you do — English is damages and French is specific performance: the latter is only used if there's good reason not to use the former.

Je ne suis pas naïf. Je ne croyais certainement pas trouver une division linguistique 50/50, et je ne prétends pas que ce ratio est le bon. On s'attend à une majorité anglophone dans une université anglophone, transsystémique ou pas. Et je suis le premier à reconnaître que nous Montréalais faisons d'atroces partenaires pour pratiquer le français : c'est avec empressement que nous switchons à l'anglais à la première trace d'accent. Politesse excessive ou désir de parader notre flexibilité linguistique? L'effet est le même : nous décourageons la pratique de notre propre langue chez des gens bien intentionnés et compétents.

Je n'ai rien contre les bulles. C'est léger, c'est festif, ça brille, ça virevolte et ça s'envole... Mais, tôt ou tard, ça éclate.

Et alors c'est comme si ça n'avait jamais existé.

JULIEN
"BOB"
LEFEBVRE

RE: HAS THE QUEBEC POLITICAL CLASS MET ITS WATERLOO?

Please note: the following article is a response to Andres Jonthan Drew's submission published in Issue 3 of the Quid Novi. See QUID NOVI Website.

Dear Andrés,

I'm certain that the readers of the Calgary Herald were delighted by such a refreshing, eclectic article, illustrated by parables involving Napoleon, the Battle of Trafalgar and the Ying Yang, painting an accurate picture of just how much Québec sucks. Considering the obvious disdain you convey for Québec, I was not surprised to read, at the bottom of your article, that you elected to escape the crumbling state of the Belle Province to conduct researches in England, at the prestigious LSE, away from our corrupted, incompetent Latin political ways.

During your time away, probably comforted by the warmth of the phlegmatic Anglo-Saxon environment, you however apparently neglected to stay properly informed about the provincial politics and economics; it is not enough, Andrés, to simply scan the headlines of the Maclean's in order to pass judgment on the complexities of Québec's current situation.

First off, I find the comparison between Quebec and the Napoleonic Empire quite dubious, not to say plain ridiculous. What makes the two similar, if not only that they are both francophone? The last news make no mention of Jean Charest's empiricist aspirations. Québec has not entered any revolutionary battles and it has certainly not "met its Waterloo", a battle Napoleon mainly lost due to haemorrhoids and bad weather. Furthermore, Quebec's "zeal for reform" is quite inexistent, if you compare it to, say, Obama's or Sarkozy's agenda. I guess you thought it relevant to include references to Napoleon since we speak French in Québec; Albertans must have loved it. But it's inaccurate, and, honestly speaking, quite random.

Furthermore, I don't see anything "strikingly unsustainable about the Quebec model." If you had taken the time to read the news, even in the Journal de Montréal they probably mentioned how Québec went through the "Great Recession" quite unscathed; besides some Cantons in Switzerland, Québec was probably the best place to be during the worse times of the crisis. Much better than any other province, and even better than Britannia. While millions of people around the world lose their jobs and their homes, us Québécois placidly enjoy our poutines and pepsis like nothing happened.

As a solution to the catastrophic situation of our doomed province, dear Andrés, you wisely recommend tax cuts – why didn't we think about it before? – , a right-wing no-brainer that banks a lot of political capital from Fox News' audience and Sarah Palin's fan club. Well, Andrés, I don't know if you were still around in 2007 when Monique Jérôme-Forget announced exactly that for the 2007-2008 budget (950\$ millions, that's no peanuts). And this was following the main reductions from 1999-2003. But it just happens that Québec citizens – insult us all you want – we also like getting better services; we don't mind diminishing the gap between the richer and the poorer, either. It's a social choice, you know too well Andrés, which will certainly bring us to the abyss, as you so eloquently and alarmingly point out.

Coming from such an elitist institution, Andrés, I was also disappointed by your appraisal of the daycare system. Of course, 7\$/day seems like a ridiculous amount for a full-day of services; poor taxpayers must be suffering the weight of this socialist measure. But did you ever consider that it also allows mothers to go back on the work market, thus providing the provincial Crown with much more income tax revenues? Don't you learn anything at LSE?

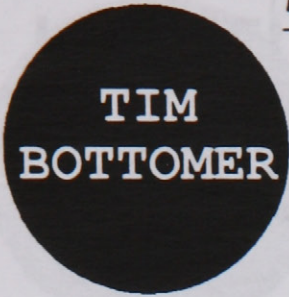
Let me also come back at you on the issue of corruption. You probably read Maclean's headline last week and were licking your chops at the perspective of pointing out to us the fact that you wrote an article on that topic, precisely, but all the way back in May, in the reputable Calgary Herald. "Har, har, har," you must have been thinking, "I will post this article in the Quid so that my dear colleagues know I was aware of Québec's corruption and ensuing demise before everyone!" You indeed claim in your article – with prowess, I must say – that you know the Québec political game "for what it is: a gentleman's club of rent-seeking paternalists operating under the veil of PQ linguistic-nationalism or business friendly 'will not rock the boat' Liberalism" (emphasis added). Ah-ha! I knew it had something to do with the Nationalists! Thank you for bringing to us this empirically-based wisdom; it must be in our blood, eh? The Latin, statist pigs we are! I'm sure the Bonhomme Carnaval had a say in it.

The reality is, my dear Andrés, that Québec politicians are probably the most accountable in the world, willing to bring their private conversations, notepads, agendas, restaurant reservations and even post-its on the table of public commissions, for the sake of transparency. Corruption is more apparent in Québec because it is violently chased after and denounced like witchcraft. What transpires of all of this is more the political will to denounce corruption and cronyism than the actual presence of corruption and cronyism in Québec's political system. So far, despite all the allegations and the big headlines, there's nothing to suggest, on a factual basis, that the province's political sphere is even superficially affected by any type of corruption.

Many would be quick to point out that your article is a prime example of Québec-bashing; it constitutes, they would say, a biased, unfounded attack at Québécois for who they are and not for what they actually do. Your article, they would say, constantly brings the statist, Nationalist, Latin nature of Québécois as the forefront reason for a non-existent failure. But this, my dearest Andrés, would be an overestimation of your work. What you wrote is a piece of garbage, with historical parallels that make no sense, economics notions taken out of a hat, and a random structure that leads nowhere.

It is hard to picture, oh my dearest Andrés, what your motivations were for writing this pestilential article. Let's just hope, for the sake of all of us, that the Muses don't come knocking at your window too often.

With love, Bob.



TIM
BOTTOMER

ACTUALLY, QUID EDITORIAL STAFF, YOU DO BELIEVE IN CENSORSHIP

In their last edition, the Quid Editorial Staff claimed that: “[s]imply put, we are against censorship”. If this were true, I would not be writing this article. Unfortunately, this kind of pro-forma claim in support of free speech is common to those who are engaged in violating it and, sure enough, they follow this up with: “[t]hat said, we have a delicate balance to strike”. Note to editors the world over: You can’t claim to be categorically in favour of something and then follow it up with a “but” statement. We are wise to your game.

So, more accurately: Simply put, the Quid censors stuff. They may only censor some stuff some of the time, but they certainly can’t claim to be broadly against censorship. This may seem as a spurious attack, after all, almost everyone (including the courts) agree that there are limits to free speech (e.g. libellous statements, hate speech). But the Quid’s policy is much broader than that.

Many of you might be surprised to hear that the Quid even has a formal policy on the acceptance of submissions. I certainly was, but I’m willing to give them a pass on that since it is publicly available on their website (<http://quid.mcgill.ca/edpolicy.php>) and people’s lack of familiarity with it is almost certainly linked to the fact that no one really cares about that sort of thing until it blows up. The current policy has been in place since 2010 and it is unclear whether any similar policy existed before this date.

The policy starts off well. The preamble proclaims that “wherever possible, the Quid publishes everything submitted” and later reaffirms that “all submissions are presumptively publishable”. Caveats are provided. To encourage a climate where students feel comfortable sharing their work, “in extreme cases” articles may be refused and potentially criminal or libellous speech will be flagged by reviewers and must be justified by the author. Seems reasonable, but one can already detect some warning signs. Why, for instance, does potentially criminal or libellous speech get the chance to be justified, while material can be barred at the mere discretion of the editors-in-chief if they think it might make someone feel uncomfortable sharing their work?

It gets worse. In the body of the policy, there is further clarification of what review by an editor can entail. Basically, if an editor thinks that an article is potentially offensive or potentially not suitable for publication they flag it. Offensive is not defined, but “not suitable for publication” apparently, for our purposes, means defamatory or “have the potential to create a hostile environment”. The flagged article is then discussed with the editors-in-chief, and if one of them agrees with the editor the article is pulled. Modifications can be suggested to the author, but if the author does not want to make the changes, the article

will not be published in the form the author intended it to be.

This appears to be the process followed regarding the mysterious article submitted last week in response to Lee MacMillan’s piece (full disclosure: I am NOT the author of that piece, but I have read it and in my opinion, it was eminently publishable and far from the “ad hominem attack” alleged in the Quid’s editorial). The response was flagged. A majority of the editors “felt that it was too harsh” and various modifications were suggested to the author. The author refused to make these modifications as they changed the whole nature and point of the article and – regrettably unwilling to push the point – withdrew the submission.

Bizarrely, the Quid Editorial Staff seem quite happy with this result. Particularly, “as they were relieved of the burden of having to decide how to modify [the article]”. I have filled enough thankless volunteer positions in my time to have some sympathy for their position; that being said, this is a burden they brought entirely on themselves, so my sympathy for their “plight” is distinctly limited.

As far as I can tell, no one has ever asked them to review submitted material for its content. The editorial policy may permit such interference, but there does not appear to have been any outside student involvement in the creation or revision of this policy and following it does not absolve the Quid Editorial Staff of responsibility for their censorious actions. No burden was removed. By asking an author to revise the content (rather than grammar or length) of his article, the Quid was guilty of censorship. The fact that they demanded modifications rather than rejecting the submission outright does not change this analysis.

Why do we even have this policy? What’s the worst that could happen? Someone could be offended? This is a Faculty of Law and we are adults. We should be treated as such. If someone wants to write a fatuous article full of turgid prose and mangled metaphors, they should be permitted to do so. If someone else thinks that article is fatuous and full of turgid prose and mangled metaphors, they should be allowed to say so in the same forum.

“Offense”, as has been proved time and again in the real world, is impossible to apply consistently. Its use as a standard only empowers those willing and ready to take offence.

The difficulties of applying “offence” as a standard are well illustrated by the current controversy. Apparently, at least two of the editors felt that the response to Lee’s article would “offend” him or potentially create a “hostile environment” (what does this even mean?) for him at the Faculty. That’s fine, everyone is entitled to their opinion. But the editors failed to apply this same standard to the original article.

Let's see, Lee called law school "the ultimate deal with the devil", termed lawyers "pseudo-intellectuals with no interest in thinking for thought's sake, but opportunists who seek education as a means to ends they rarely even question", made fun of those who want to change the world and questions the legitimacy of their beliefs ("I would be tempted to contend that this isn't even you speaking, it's the 2000 hours of Sesame Street...of the 760 Sunday School sessions you attended"), mocked the American Constitution (actually the Declaration of Independence) and U of T's Faculty of Law, stated that the religious spend their time "praying to the equivalency [sic] of a unicorn" and finally, insulted Peaches fans by denying her song-writing credit for "Fuck the Pain Away".

Clearly, people could have been offended (and were) by some or all of this, but the Quid Editorial Staff don't seem to have agreed. But why do they get to decide what offence(s) to privilege? Why does the policy on offence seem to be reactive? Do I get to say whatever I want if I do it first and then no one gets to respond? None of this is to argue that Lee's article should not have been published. Of course it should have been. But so should the response forum (in fairness to Lee, it should be noted that at no point has he expressed the view that his notional offence should dictate what should be published, the decision was entirely that of the Quid Editorial Staff). This is a diverse faculty and you can't predict who may or may not be offended by what views or beliefs. Nor should we care. Unpopular or offensive speech is the very type of speech that ideas like freedom of expression are intended to protect. Milquetoast remarks about how cute puppies are do not require protection because no one is likely to care. It is only when speech offends, makes people uncomfortable or challenges accepted wisdom or tradition that it must be fought for and defended.

One's personal offence is one's own issue to deal with, not society's. Should we go out of our way to offend others? No, but only out of politeness. There should be no formal barriers to those wishing to do so. The social response of their peers will be their cross to bear.

Some potential responses if you feel offended by an article in the Quid? Tell your friends you think the author is a douchebag.

Don't invite the author to your next party. Write a response for the Quid. But your offence should not get to decide what does and does not get published in a public.

A censorship-free Quid delivers many other benefits beyond philosophical support for freedom of expression. Most importantly and as the Quid editorial points out in a very mixed kind of way, it promotes faculty-wide discourse on important subjects. A great example of this was provided last year by the whole "African Baby" debacle (and it is only one of many possible examples). For those of you who are new to the Faculty, the "African Baby" debacle involved an initial article by one student implying that another student was a racist colonizer and a series of responses to that article, a number of which implied that the author of the initial article was a. Sure, feelings were hurt and people were doubtless offended, but the Faculty is still standing and it provided an opportunity for discussion of issues that would otherwise not have been raised. Also, it was hilarious. This kind of debate is what makes the Quid matter. This is what makes it the only student newspaper, I and many others at this Faculty, have ever read with any regularity. This is why faculty members, as well as students, read and write articles for it; because it is messy; because it is not holds-barred and because people can say whatever they want, even when it might offend others.

The Quid claims to be the law students' newspaper. But in order to remain the law students' newspaper, it needs to let us, its readers and writers, be law students. And we law students, we argue, we write, we vehemently disagree, we get over it. It's what we'll spend much of our career doing and there's no sense not letting us start now.

So, let's get the Quid Editorial Staff to stop being ridiculous, take away their power to force their views of offence on the rest of us and open up the discussion at this Faculty.

SEXUAL HISTORY AND THERAPEUTIC RECORDS APPLICATIONS

Professor Blair Crew

October 29th, 2010- McGill Faculty of Law

Room 204 NCDH, 12h00-15h00

Interested in criminal law and critiques of Sexual Assault Law?

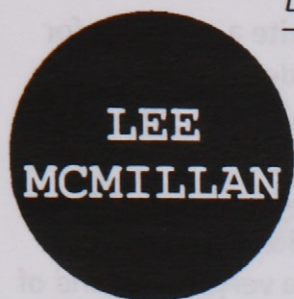
Come to Blair Crew's October 29th lecture on Sexual History and Therapeutic Records Applications.

Specifically, Blair Crew will examine the following cases: *R. v. Seaboyer* and *R. v. Mills*.

This lecture is part of the guest lecture series organized and sponsored by the Sexual Assault Law Student Initiated Seminar.

Please refer to the following link for material that Blair Crew has collected on this subject-

<http://www.commonlaw.uottawa.ca/en/courses/courses/sexual-assault-law.html>



SYMBOLS, LABELS AND LANGUAGE: MONKEY READ, MONKEY USE

What else is Naheed Nenshi's mayoral upset but a political mind-fuck? At least that seems to be the implication forwarded by Don Martin, who, in writing for the *National Post*, has already described the phenomenon as 'The Nenshi Effect'. More like the Obama Effect.

Perhaps the bigger mind-fuck is how inward-looking provincial political commentary can read. Should the fact that this win was so unconventional, or that it was received with such shock and awe, not be the real point of focus here? What can people do but react indignantly when, in trying their best to take for granted the pluralistic values of their country, are met with a common discourse that is on a completely different wavelength? Especially when, at least if the politics to the south are any indication, all the symbolisms at the surface (age, gender, skin colour, sexual orientation) rarely flesh out meaningfully in the policy itself. Some might look to this as yet another example of how politics in the Western world has not existed for quite some time, of how it has been ousted by a kind of 'management' to the point where it is normal for us to feel that elections are predictable, or better yet, state of the economy six quarters from now. Perhaps it would be easier to bring about real change if the promulgators of news spent less time telling their readers what to expect and more time encouraging them to think for themselves.

Perhaps the problem has something to do with the way individuals in the Western world think, about their own identity for example. The title of Don Newman's article: 'Nenshi Victory Puts Calgary's Cowtown Image to Rest', is illustrative here. What is Cowtown? Obviously it is a rich symbol charged with many connotations; the sum of which some might say constitutes the layers of Calgary's identity. But how often are individuals encouraged to peel away the most conspicuous of these layers to see what is underneath? How do our assumptions differ from the reality on the ground? What is it about Nenshi that might cause us to think he is somehow unrepresentative of Calgary as a whole?

The minute we delve beneath the surface, beneath the label as it exists as a whole, and start to look at its parts, it becomes increasingly apparent how broken these devices become as genuine tools for communication. In fact, to call them 'devices' at all is to rob them of their organic nature; it is to pretend they are somehow fixed and immutable givens. 'Cowtown' for example was an empty cliché long before Nenshi stepped onto the scene. One might ask why this image took so long to bury in the first place. Ideally, labels should be living, breathing reflections of the human beings and the traits that encompass them; capable of adaptability, change, and qualification. In the same vein, there is an obligation each person shares in actively interpreting the

range of symbols he or she encounters on a day-to-day basis, and from a variety of angles. This is something print journalists in particular should keep in mind, at least if they are going to continue the practice of using 'packaged' terms to describe the politics of the day.

In many respects legal jargon heads in the opposite direction. By attempting to trap the minutiae of life into neat, communicable categories (or words), it can create the illusion of a positive system, or comprehensiveness. This is the idea that, the more we continue to fragment and specify our language, the more territory we are covering. Meanwhile, there are a great deal of intelligent people who feel un-empowered because of their lack of familiarity with legalese, despite the close bond justice seems to share with common sense. If both law and common sense are both beaming with Reason, why the discrepancy between the languages both employ? Obviously, this is just one aspect of the law viewed from a limited perspective, and it would be silly to conclude that an opposite perspective could not stake an equally legitimate claim to the truth.

My previous article 'And Now What?' tried to peel back the veil of authority the law, and lawyers more generally, seem to enjoy. Since it was published I have received some flak, mostly from 4Ls, over its tone and content. Without sinking into a polemic I would just ask these individuals to keep an open mind as to what those words meant, in what contexts, and to which individuals. The wider a scope an article takes, the more risks there are for misinterpretation, and given my article's subject matter, it is fairly obvious that its scope was large. Indeed, one might argue that there is no such thing as a single, true interpretation of any given piece of written work, particularly a work that is self-confessedly confused. But to conclude from my article that "Lee hates lawyers" or that "Lee hates McGill", and to tell me so to my face, is to shirk one's obligation to empathize with the various strains of meaning that might have shown to flow through it. The perspective was an outsider's, the audience was 1st year students, the types of truths it dealt with were paradoxical.

Nevertheless, I could not help but notice the different reactions my article provoked, and the purposes that were served. Should newspaper articles merely confirm the reader's conventional opinions, or challenge them heuristically? Sure, while 4Ls were less sympathetic and in some senses outraged, at least one of them was distraught enough to think hard about it before he replied. At minimum, it caused him to reflect on his own assumptions about the law in a critical manner. In my opinion certain print media tend to do the opposite, they feed the baby what the baby wants to be fed, even if it is made up of nothing but candy. In the case of Don Newman's article, published in a national newspaper, the consequences are very real.

Commentators seldom escape their bubble of Albertan political lingo. Readers go about their day regurgitating the opinions they read as opposed to questioning them. Calgarians in the streets of Montreal are forced to tidy up their city's image.

The lecture Professor Boaventura de Sousa Santos recently gave us was concerned with many of the same issues: what is going on inside peoples' minds when they read about politics and the law? His lecture was about the need for different epistemological approaches to understanding the law. While it was somewhat ironically presented through Cartesian lenses, the thrust of Professor Sousa Santos' argument was clear: we in the Western world have to stop looking at these overly formalistic approaches

(legal or otherwise) to truth as holding a monopoly over academic authority. If we are not going to conflate non-occidental epistemologies into our curriculums, we at least have an obligation to respect their legitimacy as equally valid approaches. My concern with law school (as an outsider) was that it might, like certain news mediums and to varying degrees, a) serve to spread a partial picture of reality; b) teach people to follow traditions and/or conventions blindly; and c) discourage people from thinking for themselves. McGill Law presented itself as the lesser of the evils, and it remains to be seen whether it will in fact turn out evil.

Oral version of article can be found at:

<http://www.youtube.com/watch?v=-scVSiSTjU>



APLAM SPEAKER SERIES

The first presenter in the Asia Pacific Law Association of McGill (APLAM) Speaker

Series was given by Caroline Bérubé, a McGill Law grad who founded her own international law firm in Singapore. The talk was entitled "From McGill to Guangzhou, Singapore and Shanghai".

Me. Bérubé was introduced by Dean Jutras, who knew her as a young student out of Cegep at the Faculty of Law. He remembered that she was looking for adventure when he encouraged her to go on exchange to NUS in Singapore. While on exchange, she decided that she wanted to create a future for herself in Asia. Leveraging her bilingual abilities, she was hired initially by a French law firm in Singapore, and re-hired when that firm was taken over by a British firm. She was admitted to practice law in Singapore which she did for several years before deciding to make the move to China to work for a Chinese law firm. Three years later, knowing that she did not want to wait years to become a partner at a law firm, she started her own firm – HJM Asia Law and Co which now has offices in Singapore, Guangzhou and Shanghai. Today, Me. Bérubé travels constantly around Asia, Europe and North America giving conferences on Asian legal issues. As founder and managing partner of this successful boutique law firm, she has created a unique and exciting international career for herself.

Me. Bérubé brought a powerpoint presentation on "Pitfalls of Doing Business in China" but decided on the spur of the moment to take us through her experiences doing business as a Western lawyer in China instead (her slides are available by email from caroline.klinkhoff@mail.mcgill.ca). She began with some encouraging words about McGill's name recognition around the world, and then got straight in to the practical details of working in China. Her advice was frequently illustrated with anecdotes drawn from her personal experiences, and we thought these would be the most accessible and memorable way to convey the substance of her talk. We've reproduced the best of them below:

- As much as possible, develop client networks in cities you enjoy, since you will end up spending a lot of time in those places. In her case this was Chicago and Milan, which allowed

her to spend business time in places she adored.

- Practicing law in China is not always glamorous. Because food safety standards are uneven in some parts of China, and since you can't afford to get sick while working on big deals, sometimes you end up eating McDonalds and drinking large amounts of Coca Cola in a bid to avoid food poisoning while touring remote areas.

- There is no correlation between speaking Chinese and being a successful business lawyer in China.

- Adaptability to local culture is key. As Me. Bérubé put it "You know, I'm not going to change China... I gave up that idea up a few years ago. There's 1.3 billion of them. I'm not going to change my husband, so 1.3 billion people is out of the question." This applies to everything from the food, to attitudes towards spitting, to business practices (see below!).

- Signing day in China does not necessarily mean that the deal is done. In one memorable scenario, after weeks of difficult negotiation, the price of a sale was disputed on the final signing day. The client, a German businessman, became so frustrated at this last-minute foot-dragging that he began shouting at his Chinese counterparts. They immediately left the conference room and had to be coaxed back hours later. The deal was completed at 4 am the next day.

- If you know what you want, even if it's unconventional, make it happen for yourself. The traditional lucrative "expat packages" are becoming extremely rare these days. As she put it "don't be greedy" – work first and results will follow. In other words, if you want to go to Asia- just go!

Next in APLAM's Speaker Series was Martine Vanasse, Senior Vice President and Assistant General Counsel for the Asia Legal Department of Bank of America Merrill Lynch in Hong Kong. Me. Vanasse completed an undergraduate degree at McGill before obtaining a law degree at the University of Sherbrooke. She worked for Davies in Montreal for seven years, Clifford Chance in London and Singapore and has spent the last decade in Hong Kong. Martine has a wealth of international legal experience and is a real powerhouse in Hong Kong. Her talk took place on October 15. See our website: aplam.mcgill.ca for more details.

WHERE DID THAT TIP JAR GO?

In the midst of exams last spring, the Faculty of Law learned that Aramark would run our cafeteria, following a bidding procedure. Both the process and the substance of this decision are problematic.

Insufficient consultation

This decision affects our entire faculty, yet we were not included in the process. One representative for 20,000 students did not get through to us. An invitation to fill a survey about food services on Minerva, without context, was an infinitesimal clue as to the stakes behind the on-going tender process. Moreover, the Faculty had strongly opposed a similar move some years ago. This indicator that the Faculty cared deeply about its food services was overlooked. The LSA says they were vaguely informed of an upcoming bidding process. The publicity of the bidding process is a sufficient consultation only if we assume that McGill members should proactively browse websites to see if their services will be affected. This is both unrealistic and contrary to a genuine commitment to transparency. The efforts for transparency and Faculty input in the food-services review committee only appeared post facto. This serious consultation deficit has affected my trust in this administration's ability to reflect the needs and priorities of the McGill community.

Process for tender

The process for tender is part of a larger misguided vision about outsourcing services. My understanding from meeting with the food-services review committee is that not only will McGill not subsidize food services, it also expects to make a profit from the outsourcing. In the process, it is sacrificing high quality, low price, and employment standards. It is unacceptable for McGill to externalize the costs of its food policy onto our health and wallet, and onto the working conditions of the staff. Those points will be discussed in more detail below.

Health

While dietitians make the case that Aramark can offer healthy options, there are reasons to remain sceptical. The company, who also serves prison food in the United States, is infamous for sanitation violations. We cannot simply ignore the reputation of Aramark.

Price

Aramark has raised the price on coffee, its most inelastic product – if you don't know what that is just watch The Wire. The Faculty has fewer options for food than lower campus. Many Law students spend more than twelve hours at the Faculty and rely on its cafeteria for the bulk

of their meals. Accordingly, the repercussions of a price raise is heavily felt.

Matteo's tolerated students selling food for fundraising and has even contributed to a plethora of events with coffee donations. The vibrant student life would be losing a key contributor in funding its activities. The exclusive agreement with Aramark would even prevent student groups from selling food.

Workplace safety

In the process of outsourcing its food services, McGill is opening the door to workplace safety standards degradation. Not unlike Chartwell's, the current food provider at other locations, Aramark is known for adamantly denying worker injury compensation, remuneration irregularities, and overall complacency for employee's well being. We at the law faculty know all too well that when an employee earning minimum wage seeks to have her rights enforced against a big player like Aramark, unequal bargaining power is a serious cause of concern. By contrast, Matteo's has shown diligence in ensuring a safe working environment. For instance, Matteo modified the configuration of an oven to rectify a strident noise, after students expressed concerns that the noise was a hazard to employees. Small gestures like this one make the difference when it comes to a healthy workplace respecting the dignity of the workers. Initial conversations with the food-services review committee suggest that the contract between McGill and Aramark contains provisions ensuring employee's rights. Nevertheless, similar provisions in exploitation contracts in other institutions have not prevented Aramark from abusing employees. One subtle but unmistakable sign of the changes taking place: the tip jar has disappeared. What message does this send regarding the treatment of employees? Our food provider has realigned from an emphasis on personal service to a junk-food like generic chain. Some may even equate the move with a downgrading of the economic and symbolic status of the employees.

McGill is expected to pay more than lip service to its commitment to sustainability. The Faculty of Law is suffering a serious loss with the replacement of independently-run Matteo's. The loss is tangible: prices, health and workplace quality are all noticeably affected. I invite us all to pay close attention to the changes going on downstairs, both in terms what affects us directly – prices and quality – and indirectly – how are employees treated. After all, we are only so great as our ability to take care of our most vulnerable members.

RAPPORT CONCERNANT LES LIMITES DE MOTS (*WORD COUNTS*)

Ce rapport vise à proposer une politique facultaire encadrant les limites de mots pour les travaux et examens à la faculté de Droit de McGill. Alors que le français requiert davantage de mots que l'anglais pour exprimer exactement la même idée, les consignes pour les travaux et examens tendent à imposer des limites de mots identiques pour les deux langues.

En conséquence, moins de place est accordée aux étudiant(e)s qui écrivent en français, là où les exigences sont les mêmes, et sans que les auteur(e)s francophones ne bénéficient d'une quelconque indulgence. De plus, il est possible que leur style et leur syntaxe subissent certaines transformations pour se conformer aux limites fixées par rapport à la langue anglaise.

Une exception à la pratique courante existe pour le cours de Méthodologie, dans le cadre duquel Me Lamed accorde 12% supplémentaire aux auteurs francophones.

De façon générale, la langue anglaise est la langue d'usage à la faculté, mais elle est également le point de départ des réflexions linguistiques : ce sont les francophones qui bénéficient d'une extension, et non pas les anglophones qui se voient imposer une restriction.

A notre grande surprise, l'étude statistique ci-dessous, menée pour les fins du présent rapport, démontre que le taux de variation entre les deux langues avoisine les 30%.

Méthodologie

Les textes étudiés ont été copiés et collés dans le logiciel Word Counter.

Nous avons choisi des textes législatifs et des traités internationaux, certaines versions anglaises et françaises ont le plus souvent toutes deux une valeur officielle. Ces textes ne sont pas parfaitement représentatifs du style employé dans les textes académiques, mais il est difficile d'obtenir des textes académiques ou littéraires qui soient publiés dans les deux langues et dont les deux versions soient réputées identiques. Notons que le C.c.Q. a été rédigé en français, puis traduit en anglais, tandis que c'est l'inverse pour la Loi constitutionnelle de 1867.

Les propositions qui suivent distinguent entre les travaux courts et les travaux longs. Le chiffre de 3000 mots, suggéré pour établir la frontière entre les deux catégories, est arbitraire et il convient de réfléchir sur sa pertinence.

Par ailleurs, il faut garder à l'esprit que ce rapport concerne les limites de mots, et non pas les exigences minimales. Ainsi, l'argument selon lequel les francophones auraient plus de travail est

nul, si l'on considère que la limite n'a rien d'obligatoire. Cette limite doit donc être considérée, non pas comme un critère d'évaluation, mais comme une marge de manœuvre laissée à la discrétion de l'étudiant(e).

Propositions

La question soulevée est de prime importance, compte tenu de l'ampleur des chiffres trouvés et de l'iniquité qui en découle pour les auteurs francophones. L'absence de mesure pour y remédier contribuerait à discréditer la pratique du bilinguisme passif telle que revendiquée par la Faculté. Depuis le début de l'hiver 2010, l'AÉD a tenté d'obtenir, mais en vain, un rendez-vous afin d'inclure cette question à l'ordre du jour du prochain Conseil de la Faculté. La mise à l'ordre du jour de cette question semble retardée sans raison apparente.

Les propositions suivantes ont été volontairement scindées, dans le but de montrer qu'un débat est possible pour chaque sous-partie.

« Considérant le caractère inéquitable de la pratique concernant les limites de mots pour les étudiant(e)s qui écrivent en français, et considérant qu'une politique facultaire encadrant les consignes quant aux limites de mots mettrait fin à cette pratique ;

Considérant le fait que les limites de mots sont un maximum que les étudiant(e)s ne sont pas obligé(e)s d'atteindre ;

Considérant que les objectifs pédagogiques visés par les travaux de moins de 3000 mots peuvent différer des travaux plus longs ;

Il est requis que le Conseil de la Faculté débattenne des propositions suivantes et adopte une politique encadrant les consignes concernant les limites de mots. »

Propositions :

- Les étudiant(e)s qui écrivent leurs travaux en français bénéficient d'une extension de 30% concernant la limite de mots :
 - pour tous les travaux.
 - pour les travaux 3000 mots et moins,
 - et d'un surplus de 15% pour les travaux de plus de 3000 mots.
 - et d'un surplus de 12% pour les travaux de plus de 3000 mots.
 - (pour les travaux de 3000 mots et moins) seulement.

(Suite)

- Les étudiant(e)s qui écrivent leurs travaux en français bénéficient d'une extension de 15% concernant la limite de mots :
 - Pour tous les travaux.
 - Pour les travaux 3000 mots et moins,
 - et d'un surplus de 12% pour les travaux de plus de 3000 mots.
- Les étudiant(e)s qui écrivent leurs travaux en français bénéficient d'un surplus de 15% concernant la limite de mots pour les travaux de 3000 mots et moins seulement.
- Les étudiants qui écrivent leurs travaux en français bénéficient d'un surplus de 12% concernant la limite de mots pour les travaux de 3000 mots et moins seulement. »

NB: Le fait de distinguer entre les travaux courts et les travaux longs, ainsi que le fait de ne pas se fier aux chiffres de l'étude, requièrent d'être justifiés. De telles justifications devraient être explorées par le Conseil de la Faculté.

(Voir tableau ci-dessous pour de plus amples détails)

TABLEAU DES RÉSULTATS

LÉGISLATION

CCQ

	EN	FR	% diff
Préambule	84	90	6.67
Dispositions finales	126	174	27.59
Loi complète (Canlii 27 juillet 2009)	199841	274254	27.13
Loi Constitutionnelle 1982	5842	8528	31.50
Loi Constitutionnelle 1867	13824	19527	29.21
Préambule	131	204	35.78
MOYENNE DIFF:	29.28		

TRAITÉS INTERNATIONAUX

Convention Européenne des Droits de l'Homme (1975)	5398	8126	33.6
Convention de Vienne sur la vente internationale de marchandises (1980)	13484	19176	29.7
Convention sur l'interdiction des mines antipersonnelles (Traité d'Ottawa, 1997)	5902	8861	33.4
MOYENNE DIFF:	32.2		

JURISPRUDENCE de la Cour Suprême

Re: Droits linguistiques au Manitoba, [1985] 1 R.C.S. 721	21594	32490	33.5
Renvoi relatif à la sécession du Québec, [1998] 2 R.C.S. 217	26306	41348	36.4
Ford c. Québec (Procureur général), [1988] 2 R.C.S. 712	29406	40996	28.3
Le procureur général de l'Ontario c. SEFPO, [1987] 2 R.C.S. 2	19384	30021	35.4
Renvoi sur l'opposition du Québec à une résolution pour modifier la Constitution, [1982] 2 R.C.S. 793	8413	12651	33.5
Renvoi sur la Motor Vehicle Act (C.-B.), [1985] 2 R.C.S. 486	17533	25561	31.4
MOYENNE DIFF:	33.1		

MOYENNE DIFFÉRENTIELLE GÉNÉRALE 31.53

DOCTRINE publiée dans les deux langues

F. Gélinas & J.-F. Goudrealt-Desbiens, Opening new perspectives on federalism*	22982	37043	38
K. Benyekhlef & F. Gélinas L'expérience internationale des modalités de règlement des conflits liés au droit d'auteur dans l'environnement numérique*	7331	11687	37.3

* Les deux versions sont réputées identiques

AISHA
TOPSAKAL

HELLO FROM THE 4TH FLOOR

As Assistant Dean, Student Life & Learning, it is my job to make sure you have the academic and career support you need to make the most of your time here at the Faculty. I work closely with the staff of the Student Affairs Office (SAO) and the Career Development Office (CDO) to deliver a number of programs and services to undergraduate and graduate students. These services include academic and career advising, programs and workshops on student welfare, as well as referrals to relevant University services for counseling and support.

Vous trouverez ci-dessous une description des services offerts, ainsi que quelques nouvelles initiatives qui vous seront présentées au cours de l'année 2010-2011. Comme vous le savez peut-être déjà, les bureaux du SAO et du CDO (ainsi que le mien!) sont tous situés au 4^{ième} étage du Nouveau Pavillon Chancellor Day.

Pourquoi prendre un rendez-vous?

Si vous vous trouvez dans l'une des situations suivantes, n'hésitez pas à prendre rendez-vous avec moi:

- Vous avez besoin d'aide avec votre sélection de cours ou pour déterminer si vous voulez graduer en 3, 3.5 ou 4 ans.
- You are considering doing a Major, Minor or Honours thesis or you have questions about the Faculty's clerkships for credit, mooted competitions or Major internships. (Or maybe this is the first you hear about any of these programs and you want to find out more!)
- You are feeling overwhelmed, stressed out, anxious or depressed, or you are dealing with any other health or disability issues. I can point you in the direction of the right resources.
- Vous craignez que vos notes

soient mauvaises et vous aimeriez recevoir quelques conseils dans le but d'améliorer votre performance académique.

- You are concerned that your academic performance has been affecting your professional opportunities.
- Vous voulez partager vos commentaires ou donner des suggestions concernant les services ou le personnel du SAO ou du CDO.
- You have ideas for new initiatives and programming regarding student health and wellness.

N'hésitez pas à me poser vos questions. Mes heures de rendez-vous sont indiquées ci-dessous. Vous n'avez qu'à contacter Kelly Cassidy par courriel à kelly.cassidy@mcgill.ca, afin de prendre rendez-vous.

Lundi et mercredi: 15h30, 16h00 et 16h30
Jeudi: 15h00, 15h30 et 16h00

NEW initiatives in 2010-2011

Here are a number of new Student Life & Learning initiatives that we are launching this year (more to come!):

- **SAO advising drop-in hours:** If you have questions for the SAO, consider coming by to see Student Affairs Officer Nancy Czemmél or Student Affairs Coordinator Kelly Cassidy during their new drop-in hours.

Mondays & Thursdays: 9:00 a.m. – 10:00 a.m.

Tuesdays: 10:00 a.m. – 11:00 a.m.

Wednesdays: 4:00 p.m. – 5:00 p.m.

Nancy Czemmél and Kelly Cassidy can provide information and guidance to both graduate and undergraduate students on the following: programs, degree requirements, registration, academic advising, course changes and schedules, proce-

dures for withdrawal, exam schedules and conflicts, deferred and supplemental exams, rereads, academic standing, leave of absence or term away, exchanges and graduation.

- **CDO and SAO feedback survey:** Following any counseling session you have with CDO and SAO staff, you will receive a brief online survey regarding your counseling experience. Please share your thoughts and feedback on our Faculty's advising services. You can find the link to the survey (<http://www.surveymonkey.com/s/9MYKV3J>) on the SAO and CDO homepages. One question asks for general feedback on our services and staff, so please feel free to fill in a survey at any time, even if you have not recently had an advising session. Please note that I am the person who reads the survey responses and you have the option of submitting anonymous comments.

- **Student Life & Learning Series for First Year Students:** Developed jointly with input from LSA President Stefan Hoffman and a number of Faculty members, this six-part series of information sessions aims to support students at critical points during their first year of law school. Les thèmes préalablement choisis sont : conseils sur l'écoute active, la lecture, la prise de notes, les méthodes d'étude et l'écriture juridique, le langage et le vocabulaire, la préparation aux examens et la gestion du stress, le fonctionnement du système d'inscription de Minerva, comment choisir ses cours, les cours hors faculté et les « non-law credits ».

- **CDO and SAO Q&A Sessions for Upper Years:** The CDO and SAO will plan various Q&A sessions during the year on topics of interest. The next Q&A session will be held on Monday, November 1st at 12:45 in the Moot Court. We will provide information on upcoming recruitment

deadlines and answer your questions regarding the Majors, Minors, Honours and other B.C.L./LL.B. program options.

- **Initiatives to minimize emails to students:** Nous sommes conscients du nombre important de courriels que vous recevez et nous faisons de notre mieux pour éviter de faire déborder vos boîtes de réception! Dorénavant, l'envoi des courriels sera ciblé par cohorte. De plus, vous recevrez les courriels du SAO les lundis, ceux du CDO les mardis et les miens, les mercredis. Le SAO utilisera également le Quid pour vous faire part d'information importante.

Student health and welfare & McGill Student Services

If you are struggling with depression, stress, anxiety or just a general feeling of uncertainty about your future, rest assured that you are not alone. I cannot count the number of students who have said to

me, "I am the ONLY student here who does not have it all figured out." Please feel free to make an appointment with me to discuss your situation if you are feeling overwhelmed by your personal, academic or career situation. In addition to discussing your situation with you, I can point you in the right direction of University services.

Sachez que l'Université McGill offre tout un éventail de services afin d'offrir un milieu qui vous soit accueillant. Parmi ces services, vous trouverez les services de counselling, d'aide en santé mentale, les programmes de bourses d'études et d'aide financière aux étudiants, ainsi que la Maison des premières nations. Veuillez visiter www.mcgill.ca/studentservices pour plus de détails ou procurez-vous un dépliant au comptoir du SAO.

SAO and CDO services

Finally, for a full listing of SAO services, please visit the "SAO contacts" page at <http://www.mcgill.ca/law-studies/sao/>. General enquires may be directed to the Student Affairs Office at 514-398-3544 or info.law@mcgill.ca.

If you would like to find out more about the full range of CDO services available to you, please visit www.mcgill.ca/cdo. To make a career counseling appointment with CDO Director Catherine Bleau, send an email to placement.law@mcgill.ca. Please also note that the CDO now has its own Facebook page, called "McGill Faculty of Law Career Development Office", to help keep you up to date on the latest recruitment deadlines and career events.

Je vous souhaite une année pleine de succès! N'hésitez pas à me contacter avec toutes vos questions.



ARE YOU READY FOR LAW SCHOOL OF ROCK?

Ready to rock? Wish Law School were more like Star Academy? Now it's your time to shine!

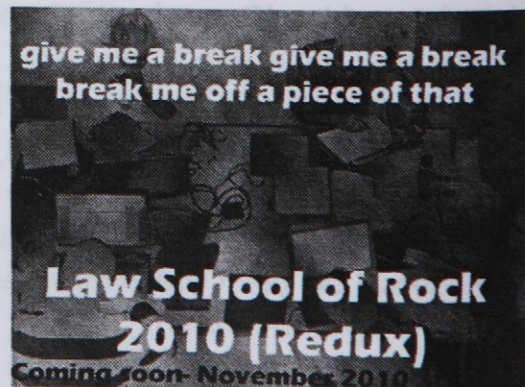
Law School of Rock is happening November 25th at Club Lambi! Nous avons réservé le bar pour les étudiants de notre Faculté. Venez nombreux après le Coffee-house pour une soirée de concerts avec des formations de vos collègues de la Faculté!

Ce sera une soirée pleine de surprises. Veuillez voir notre groupe Facebook et cliquez ATTENDING sur l'invitation pour Law School of Rock! Nous vous tiendrons informés sur Facebook et Notice Board dans les semaines à venir, notamment pour la vente des billets.

EVEN IF YOU DON'T PLAY AN INSTRUMENT, if you want to help out, give us a shout! Nous avons du matériel (voir les photos de l'équipement disponible sur le groupe Facebook). If you want to help sell tickets, design the program or anything else; contact the Law School of Rock Committee at: lawschoolofrock@yahoo.com

Pour les prestations musicales (groupe ou solo), faites nous savoir ce que vous avez en tête (groupe rock, solo de trombone, beatboxing). Si vous désirez jouer ou chanter lors de l'événement, merci d'informer Steven Jegou : steven.jegou@mail.mcgill.ca, ou Krista Kais-Prial: krista.kais-prial@mail.mcgill.ca. Si vous êtes à la recherche d'une formation (ex: je joue de la batterie et je cherche quelqu'un qui joue de la guitare), veuillez informer Steven et Krista et on verra ce que l'on pourra faire. In the meantime, whip out your axe, warm up your vocal chords and start practicing!!!!

Nous espérons vous voir tous au Law School of Rock – n'oubliez pas vos briquets!



LAEKA
ISHAT
REZA

WHY DON'T WE CARE ABOUT PAKISTAN?

1750 dead
20 million affected (10 million are children)
16,000 villages under water
200 hospitals destroyed
10,000 schools damaged
\$30B needed to rebuild (1)

Two and half months after the floods began; millions of people are still in need of food, clean water, medicine and shelter. Death and disease are on the rise. Rebuilding schools, hospitals, roads, livelihoods and communities will be a long-term challenge. According to Oxfam, the current devastation is greater than that of the Indian Ocean tsunami and the earthquakes in Kashmir and Haiti combined.

The prognosis is not good for Pakistan. Part of the reason is that the international community has been slow to respond. The world doesn't seem to care. Why is that?

Posts on CBC's website (2) from readers may offer a clue: "Why would I donate to a country that puts added risk to our troops in Afghanistan by blocking supply convoys," "If Pakistan really needs money, it could consider cutting funding for madrassas and nuclear war toys," and "I am proud [sic] to say I donated a whole \$0.00 to a country that supports terrorists and only ever is friendly to us when they want a handout." The majority of comments were of this nature and overwhelmingly received more "thumbs up" from other readers than "thumbs down".

Might this type of thinking explain why the law school has done nothing in response to the floods? In early September I was thinking of organizing something and wrote to the LSA to ensure there would be no overlap with activities other people were possibly planning. I received no response. I then learned a student group at the law school was thinking of doing something at the end of September. The timing was perfect because there was an October 3rd deadline for the federal government's match program, meaning our donations would have been doubled. Unfortunately, no fundraiser was organized, and the net effect is, the law school collectively hasn't done anything.

At this point, I think we should ask ourselves why. We put our loonies and toonies together for the victims of Haiti's earthquake last year. But we have done nothing for Pakistan. Why is that? Are we really clouded by politics and war propaganda? Do we equate all Pakistanis with terrorists? Are we concerned about corruption? Don't get me wrong. I am no more fond of the Pakistani government or lunatic extremists than the next person. I come from a neighbouring country that was brutalized by the Pakistani military for two decades. My uncle, a physician, was lured by the Pakistani military on the pretext that civilians needed medical attention, only to be brutally murdered and his body stuffed in a barrel. The woman who raised my mother narrowly escaped with her life after being lined up in front of a Pakistani firing squad. On a three day visit to Karachi in 2004, I endured two days of bombings by extremists and harassing behaviour by Customs officials who were clearly annoyed by my heritage. But I don't hold that against the people of Pakistan. The peasant farmer, the displaced mother and the diseased child don't deserve to suffer because we have a problem with their government or with extremists within their society. Millions of regular people will continue to suffer from the devastating floods if we do nothing.

For my part, I donated before the government match deadline so my three figure donation ended up being four figures. The Pakistani Students Association on lower campus has apparently raised an impressive \$27,000. But more is needed.

It's not too late to help if you haven't already. For those worried about government corruption or extremists, on-the-ground agencies such as Oxfam, UNICEF or the Canadian Red Cross are better recipients of our aid. At the end of the day, people are people. And these people desperately need our help.

(1 - Statistics are from Reuters AlertNet and UNESCO)

(2 - Comments from CBC website:

<http://www.cbc.ca/canada/story/2010/10/03/canada-pakistan-donationdeadline.html>)

Have you not yet taken or organized a Student Initiated Seminar? Specifically, were you unable to take this semester's Sexual Assault Law Student Initiated Seminar? Are you interested in Criminal Law? Are you interested in engaging in and facilitating an in-depth analysis of Sexual Assault Law from critical perspectives?

If you are interested in learning more about this semester's Student Initiated Seminar on Sexual Assault Law, and in facilitating

and organizing this initiative during the coming year, please e-mail the Seminar's student organizers at sexualassaultcourse@gmail.com and let us know your availability for the following proposed interest meeting times: Wednesday, November 3rd at 12:30 pm; Monday, November 8th at 12:30 pm; and Wednesday, November 10th at 12:30 pm.

Thank you very much and we look forward to hearing from you.

ANTHONY
N.
MORGAN

Law III

"CANADIAN JUDGES FREE NORTH CAROLINA NEGRO"

The above is the title of a New York Times article published on March 4, 1922. The "North Carolina Negro" being referred to is Matthew Bullock. This is his story:

In 1911, Canadian Prime Minister and McGill Law alumnus, Sir Wilfrid Laurier, passed into law the following provision:

"His excellency in Council, in virtue of the provisions of Sub-section c of Section 38 of the Immigration Act, is pleased to Order and it is hereby Ordered as follows: For a period of one year from and after the date hereof the landing in Canada shall be and the same is prohibited of any immigrants belonging to the Negro race, which race is deemed unsuitable to the climate and requirements of Canada."

This law was not repealed until 1962. As such, in the early 1920s when 19 year old Matthew Bullock, an African-American, and World War I veteran, arrived in Hamilton, Ontario to escape being lynched in the American South, legally and literally, Matthew Bullock was as good as dead.

His troubles began in Norlina, North Carolina when Matthew's brother, 16 year-old Plummer, attempted to return 10 cents worth of apples which he discovered were rotten soon after they were purchased. After making his request, an argument ensued between Plummer and the store-keeper, a White man, as the latter refused to accept the returned apples. So heated the exchange became, that threats were allegedly flung by both Plummer and the store-keeper.

Later that evening, a group of armed White men went looking for Plummer. In conducting their search, the men confronted a group of Black men and gun-fire erupted between the two groups. No one was hurt in the gun-battle. However, the incident resulted in Plummer and his brother, Matthew, being charged with attempting to incite a riot. Both men were shocked to have such charges laid against them as they maintained that they were miles away when the events occurred.

The day after the incident, Plummer was arrested and jailed. The next morning he was broken out of the jail by a mob of Ku Klux Klan members who, within hours of kidnapping Plummer, tortured, shot, castrated, hung and set fire to the boy. Unaware of the fate suffered by his little brother, on instruction from his father, Matthew fled Norlina, driving north and in hopes finding safety and security on Canadian soil. Matthew drove directly to Canada, stopping only to sleep, eat and use the bathroom.

Matthew only knew Canada as the country famed for being the Promised Land of freedom to which many of his Black ancestors escaped slavery by way of the Underground Railroad. Thus, one can only imagine the immensity of the shock, pain and humiliation he suffered when he finally arrived at the Canadian border: He was denied entry into Canada due to the aforementioned immigration law that banned Blacks from immigrating to Canada.

Not to be easily deterred and feeling that his life remained in peril in the US, Matthew decided to take drastic measures to secure entry into Canada. After spending hours observing Lake Erie's flow of ice and water, at a spot just south of the rushing chute of Niagara Falls, Matthew ventured out, literally hopping, skipping and jumping from one ice-patch to the next until he arrived on Canadian soil; tired, cold and wet, but alas in Canada.

Matthew quickly continued his trek north, heading for Hamilton, Ontario where he knew there was a small community of Blacks made up of the descendants of fellow African-Americans who had escaped US slavery just a few decades before. When he arrived in Hamilton, Matthew was quickly able to settle into the Black community there, adopting a new name and gaining employment as a skilled construction worker.

Not long after his arrival, however, while out one day in early January 1922, Matthew was approached by the police who demanded that he prove that he was not a vagrant. Unable to furnish satisfactory papers because of his illegal status, he was charged with vagrancy and entering Canada illegally.

The ordeal of Matthew Bullock could have fallen into obscurity at the bottom of the bins of forgotten Canadian history. However, after Matthew's arrest and the revelation of his true identity in mid-January 1922, a White bounty-hunter in Hamilton decided to write a letter to the Governor Morrison of North Carolina detailing Matthew's whereabouts. This led Governor Morrison, a self-proclaimed white-supremacist and advocate of lynch law, to immediately write to Canadian officials demanding that Matthew be extradited so that he could stand trial for the charges laid against him in North Carolina.

The North Carolina Governor's extradition request resulted in the ignition of a media frenzy, as major newspapers in Canada and the US, including the New York Times and The Globe (now the Globe and Mail) began to immediately publicize Matthew's incredible story. The immense publicity sparked intense debate in the public on both sides of the border, as wide media coverage roused many Canadians and Americans who openly expressed their views and thoughts on the story and were most

intrigued by the issues it raised.

From a black-letter law perspective, the outcome looked very grim for 19 year-old Matthew. First, the US and the UK had an extradition treaty that bound Canada because our country was yet to gain full control over its foreign policy. Secondly, there was Canada's own federally legislated ban on the immigration of Blacks enacted a decade earlier. In the face of this legal reality, all Matthew had was his plea and the advocacy of Black and non-Black advocates and citizens which asked that Matthew not be extradited because at best he would not get a fair hearing, and at worst (the more likely result) he would be lynched like his younger brother before him.

Canadian and US media and advocates on both sides of the issues kept the case live and well discussed in the public, especially since an NAACP lawyer from New York was hired to defend Matthew, and a collective of White citizens of Hamilton amassed many signatures on a petition demanding that Matthew be extradited. At the end of the day, however, it was left to an Ontario judge to rule on the matter.

In late-January 1922 an Ontario judge weighed Matthew's charge for inciting a riot against the fact that he was a 19 year-old war veteran who upon arriving in Canada, immediately contributed to the country as a skilled employee about whom no one could make anything but positive remarks. Considering this, the judge ruled that Matthew should not be extradited, but released and allowed to remain in Canada for having demonstrated himself to be a good immigrant.

Despite a new wave of public excitement that this caused, Matthew's legal troubles were not yet over. The Ontario judge's decision infuriated American and Canadian white-supremacists. This inspired new energy to get Matthew extradited and in result, a new and more serious charge was laid against Matthew. This time the charge was for the attempted murder of one of the White men who was allegedly shot-at in the incident that started this whole chain of events.

With this, Matthew was rearrested in mid-February. Judge Snider of the County court in Hamilton, presided over the extradition matter in the face of this new charge. He ultimately ordered that Matthew be arrested and held until authorities in North Carolina could present to the County Court evidence showing that they had a prima facie case legitimating Matthew's charge for attempted murder.

The result of the above stipulation requirement for the release of Matthew to US authorities ended up saving Matthew's life. This is because the State's case against Matthew relied almost exclusively on eye-witness testimony. Realizing that it would be too costly and likely found to be unconstitutional to force witnesses to appear before a judge in another country to provide testimony, Governor Morrison gave up his blood-thirsty hunt for Matthew.

Thus without any satisfactory evidence presented against Matthew in the Hamilton County Court, Matthew was released as a free man on March 3rd, 1922. Once released, Mr. Bullock changed his name and literally vanished with some saying he went to

England, others, that he stayed in Hamilton and more still who suggest that he moved to Washington, D.C.. In the end though, there are no records to confirm one way or the other.

Before closing, I would like to draw attention to Judge Snider's ruling and note that it does not go as far as it seems when appreciated at an uncritical level. What it turned out to mean is the following: Even when a person who, upon extradition, faces the highest probability of being murdered by way of lynching, they must be extradited to America if US authorities can provide evidence of a prima facie case legitimating the charge of attempted murder.

Furthermore, the context of the political climate of the time must also be considered when assessing this ruling. Especially in light of the role Canada played in the first World War in relation to the US and England. Thus, we must ask, was this ruling about saving a young Black man or about asserting Canadian sovereignty and strength in a way that made an effective statement against Britain's imperial control over Canadian foreign policy and America's perception of Canada as their blindly-obedient sister-state to the north? In truth, the answer probably lies in a grey-zone between these ambitions.

Either way, it is highly unlikely, though still possible (think Maher Arar), that such a decision would be rendered or would stand under current Canadian law.

As a final word, I must admit that my purpose in sharing this story is to write Blacks back into Canadian History; legal and otherwise. You, friends, classmates, professors, staff and Deans at McGill Law sit or will sit in seats of immense power within Canadian society. As such, my hope is that I can share Black Canadian history with my law school community in a way that will help us all fight the impression that is too easily and often accepted: that Blacks have played little to no role in important moments or events in Canadian history. This widely held (though often innocently so) perception is ultimately damaging to this great country in which we all live and contribute to...together.

Quick Sources:

Sarah-Jane Mathieu, "North of the Color Line: Migration and Black Resistance in Canada, ..." - Page 174

Vann R. Newkirk, "Lynching in North Carolina: a history, 1865-1941" - Page 44

Mark Robert Schneider, "We return fighting: the civil rights movement in the jazz age" - Page 195

ARIANE
LAUZIÈRE

COMMENT LE ROSE FAIT PARFOIS BIEN LES CHOSES

Lately, I realized that even the dumbest movies can teach you something. For example, I commonly refer to the movie « Eurotrip » in various situations. While watching this movie, I learned the size of the Vatican, how the popes are elected, which European cities have a low living cost and that absinth effectively gives hallucination.

Dans un même ordre d'idées, un film ayant marqué l'imaginaire de toute étudiante en droit est certainement « *Legally Blonde* ». Saviez-vous qu'il existe un groupe facebook qui s'intitule "Legally blonde gave me unrealistic expectations about law school"? Peut-être l'avez-vous même déjà joint... Plusieurs d'entre vous se reconnaîtront sans doute dans la description du groupe qui va comme suit:

"For those of us who thought we could win cases by knowing about perms, go to court wearing pink, and get through class by dropping the phrase 'mens rea' as much as humanly possible (and for those guys who expected to encounter Reese Witherspoon and were bitterly disappointed)"

Ma collègue et moi comprenons donc la désillusion que vous avez vécue à votre arrivée en droit ; nous l'avons aussi vécue. Parce que, avouons-le, nous rêvons toutes d'être différentes, de s'assumer et de réussir comme Elle Woods y arrive si facilement dans son film. Donc, comme vous l'avez sans doute deviné(e), cette chronique abordera un thème dont un certain rédacteur du Quid Novi est aussi passionné (cough... Charlie Feldman... cough). Je laisserai le soin de l'analyse du premier film « *Legally Blonde* » à ma collègue Alexandra, lors d'une autre chronique. De mon côté, je me pencherai sur le deuxième volet de la non moins formidable saga.

Quick review of the movie : Elle Woods, fraîchement diplômée d'Harvard (rien de moins), travaille dans un grand bureau bostonien tout en préparant son mariage avec un professeur d'Harvard (le rêve quoi). Malheureusement, la mère de son chien, à qui elle veut envoyer un faire-part, est prisonnière d'une société de cosmétiques qui teste sur les animaux. La fouguese blonde part donc en guerre et dispute son combat à Washington, où elle essaiera de faire passer une loi pour interdire les tests sur les animaux.

Even if you think that this movie is stupid (and I'm clearly not saying it was good!), I still have to admit you

can learn a couple interesting and helpful things from it. Because I knew I wanted to write an article about it, I watched the movie over again (last time I did it was 6 years ago... I was still an idealistic high school teenager, dreaming of changing the world). In retrospect, a lot of things have come out of this movie.

On y trouve, par exemple, des bons conseils :

"Pourquoi confier aux autres ce qu'on peut faire soi-même... sauf quand il s'agit de l'épilation de ses sourcils."

On y trouve aussi des analogies surprenantes:

- "Être avocate, c'est comme ce qu'on ressent après une session intense de vélo stationnaire" (spinning)

- "J'ai enseigné à Bruizer (Chihuahua) à acheter en ligne alors le Congrès, ce n'est rien"

On y trouve des « insights » intéressants:

- You need 218 signatures to pass a bill into American congress

- Le projet de loi doit être déposé dans le "coffret"

On y trouve certaines révélations chocs:

- "Qui aurait su que j'aurais pu être aussi heureuse sans une carrière dans les cartes de crédits".

On y trouve même des morales... :

- "Une seule et honnête voix peut être plus forte que toute une foule"

Voilà ! Qui aurait dit que ce film contenait autant de moments forts... Ne vous méprenez pas, « *Legally Blonde 2* » peut s'avérer intéressant (si vous aimez le rose ou les chihuahuas ou les fascinantes intrigues politiques ou encore la mère de Stifler). Pour votre bonheur (parce que je sais que vous en redemandez), voici quelques faits en rafale sans trop de lien avec le droit : 1- Cellphones were outdated in 2003! ; 2- Note to myself : Find the book « How to pass a bill 101 » ; 3- On me donne à l'instant la confirmation que Elle aime effectivement trop le rose ; 4- Il semble que la mode des professeurs d'amener leur cellulaire en classe a commencé dans ce film.

Et que serait cette chronique sans une citation de "Sex And The City"!

« I love you, but I love myself more » (Samantha)

-Ariane Lauzière xoxo

HÉLIA
TAHERI

Law I

INGÉRÉE PAR LA FORÊT (PART 1)

Le texte suivant est la première partie d'une série qui s'étallera sur trois semaines.

Ingérée par la forêt, elle court, elle court sans tourner la tête; ignorant les branches qui la fouettent, elle court. Ingérée par sa peur, elle court, elle court sans tourner le regard, ignorant les cailloux qui mordent ses pieds nus, elle court. Ingérée par l'espoir, elle court, elle court sans se retourner. Peu à peu, elle s'estompe dans la noirceur.

Mercredi

Ses doigts tremblants défont l'enveloppe tout doucement. Le nom du destinataire n'est pas indiqué, seulement une adresse inconnue; cela la terrifie. Tracassée, elle retire la lettre d'un coup sec.

« Je t'aime, je t'aimais, je t'aimerai. Il faut que tu le saches. Je ne t'ai jamais raconté de mensonge et je ne commencerai pas maintenant, aujourd'hui, après tant d'années. Quand je te disais que tu étais belle, je le pensais réellement. Je ne veux pas dire que je ne regrette pas le passé anéanti. Je me suis laissé traîner par la charrette de mes appétences les plus immorales. C'est dur de résister, surtout lorsque le fruit paraît si délicieux. Je regrette, je

regrette de l'avoir souillé, le fruit de ton âme.

Quand mes doigts parcouraient le chemin si soigneusement assoupli de ta peau, je sentais le plaisir cru monter en moi. Quand les larmes barbouillaient ton regard, c'était le remords qui commençait à ronger mon être, mais il était trop tard. Il était toujours trop tard, mes mains ne m'obéissaient plus, mes mains bestiales. Elles ne m'appartenaient plus, elles étaient un tout, une entité sauvage, un être guidé par le désir et affronté par la culpabilité. Elles étaient puissantes et toi, tu étais si facile à manipuler, plus souple qu'une ficelle de pêche. Il fallait affronter la tempête à chaque soir. Moi, assis dans la chaloupe de mon désir, je gardais ta tête sous l'eau, je t'étranglais dans une mer de péché. La tempête te faisait mal, elle me faisait plaisir. Quand c'était fini, tu courrais te cacher. Et moi, je te regardais partir, immobile, je songeais à me charcuter les mains, à brûler mon sexe, afin de ne plus te faire du mal. Mais, le lendemain soir, même tempête, même histoire. J'étais trop lâche, trop lâche pour me couper, me brûler, me détruire, et j'ai fini par me démolir. »

GAB
JOSHEE-
ARNAL ET
MARC-ÉTIENNE
OUIMET

2L Class Presidents

A LETTER TO ALL SECOND YEAR STUDENTS

Dear second year class,

We would like to address a concern voiced by a few of our colleagues in the past week, namely the lack (so far) of second year specific events.

First, let us assure you that this is not the result of a lack of dedication to the task on our part as co-presidents. Rather, it is a reflection of a decision we made early on in the process to concentrate on the organization of two large events (an end of semester party and an end of year party) instead of organizing many small activities. We believe this is the right decision; it is realistic with regards to our budget, and takes into consideration the plethora of other activities organized by and available to McGill law students.

The end of semester party will be held in the evening of the 21st

of December, following the Common Law Property exam. In view of this, we have visited several possible venues and have begun negotiations with a few. We have also explored possible sponsorship deals, and are trying to find creative ways to get as much "bang out of your buck" as possible. One thing is for sure: wherever the party takes place, we can promise that it will be as good, if not better, than last year's party.

N'hésitez pas à nous contacter si vous avez des questions ou commentaires par rapport à nos activités ou quelque autre sujet relié à notre mandat (ou simplement pour jaser, si vous en sentez le besoin!).

Sincèrement,

Gab Joshee-Arnal et Marc-Etienne Ouimette
2L Class Presidents

THE
EDUCATIONAL
EQUITY
COMMITTEE

NEWS FROM YOUR EDUCATIONAL EQUITY COMMITTEE / DES NOUVELLES DE VOTRE COMITÉ D'ÉQUITÉ POUR L'ÉDUCATION

Chers et chères collègues, nous tenons à vous présenter le comité d'équité pour l'éducation du 2010-2011. Here is the team for this year:



Ali Martin-Mayer



Aisha Topsakal



Vrinda Narain



Kirsten Anker



Mara Verna, 3L



Sasha Hart, 3L



Cindy Kou, 4L

Le Comité d'équité pour l'éducation (CEE) est composé de membres de la faculté et des étudiants. Nous visons à favoriser un environnement à la faculté qui est inclusif des diverses identités, expériences et

habiletés. Dans le cadre de notre mandat, le CEE tient à informer les étudiants des processus institutionnels par lesquels ils peuvent exprimer leurs préoccupations sur des questions liées à la diversité de et l'équité dans la Faculté. Nous vous invitons de soumettre tous

commentaires respectueux. Ne manquez pas nos prochaines informations sur la nouvelle Boîte à suggestions.

The Educational Equity Committee (EEC) is comprised of faculty members and students. Our mandate is to help foster an environment in the Faculty of Law which is inclusive of diverse identities, experiences

and capacities. As part of our mandate, the EEC would like to inform students of institutional processes through which they can voice concerns about issues related to equity and diversity in the Faculty.

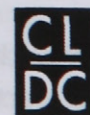
All respectful comments are highly valued and encouraged. Stay tuned for more information on the forthcoming Suggestion Box.

SPEED MEET

6-8

An opportunity to meet and network with **criminal law practitioners in Montreal**, including Defence, Crown and Judges.

November 2nd, in the Atrium
SPACES ARE LIMITED
RSVP at clm.dcm@gmail.com



CRIMINAL LAW MCGILL
DROIT CRIMINEL MCGILL

MICHAEL SHORTT
DAVID NEWSTONE
CARLY KLINKHOFF
IBRAHIM ATTAR

FITNESS FOR LAW STUDENTS (PART 1)

Intro

Being a law student involves a lot of work. Classes, extracurriculars, readings, optional reading to understand your required readings, finding/making/altering summaries, etc. All this to say that most of us don't have a lot of spare time. As a result, we're prone to let non-law activities fall by the wayside, including maintaining our health.

And yet we all know the benefits of staying in shape. There's an aesthetic side, but also increased energy and self-confidence, de-stressing and mental clarity, and the ability to run up the stairs to the SAO before deadlines... The main barrier standing between law students and the gym seems to be the belief that staying in shape takes a lot of time. We're hoping to change your mind.

The exercise program introduced in Parts 3 and 4 of this series is designed for people who don't have a lot of time to work out. It consists of 3 sessions a week each lasting one hour or less. That's it, c'est tout. Even the busiest person in the faculty can find three hours a week.

Outline of this article series

This is a four-part article series. Part 1, this article, provides background information on health and fitness. Part 2, a separate article published in this issue of the Quid, provides general tips on weight-training and exercise, as well as techniques to avoid injury or over-training. Parts 3 and 4 each introduce one of the two workouts that form the beginner's exercise program that we have designed, and will appear in the next two issues of the Quid.

Why focus on weight-training?

There are many ways to stay in shape,

from playing sports and jogging, to spinning classes and yoga. We've chosen here to focus on weight-training. Specifically, we'll deal with circuit training, which is a series of exercises performed back-to-back with very little rest. This approach combines cardio and resistance training and has a number of benefits:

- **Toning:** Circuit training burns fat and builds muscle at the same time, which produces a toning effect (aesthetics) and improves your fitness in a multi-dimensional way (emphasizing speed, balance, and endurance in addition to strength).
- **Efficiency:** Because each exercise is performed intensively and you rotate quickly through exercises for different parts of the body, you expend more energy in a shorter period of time, allowing you to burn calories faster than jogging or other forms of cardio. You also continue to burn calories after finishing a weight-training workout because your body needs to repair the damaged muscle fibres. So one hour in the gym can spike your metabolism for many hours afterward.
- **Muscle burns calories:** One pound of muscle requires 50 calories a day to maintain. So if you gain four pounds of muscle, you will passively burn an extra 200 calories a day – a 10% increase in energy demand for the average female (a little less than that for males). Over time, this translates to losing 2 pounds of fat a month from higher metabolic demand, yet does not require any additional effort!
- **Motivation:** Because the workouts are more intense and involve a variety of exercises, they're less boring than

hour-long cardio sessions.

Intro to fat loss

Each pound of fat represents 3,500 calories worth of stored energy. When your body uses more energy than it takes in, this creates a caloric deficit. Every time this deficit adds up to 3,500 calories, you will lose one pound of body fat. So if you had a 500-calorie deficit per day, you would lose one pound a week. If you had a 250-calorie deficit per day, you'd lose one pound every two weeks, and so on. Energy output comes from two sources. You expend some energy just to breathe, blink your eyes, and think – this is called your basal metabolic rate. It is around 1800-2000 calories per day for men and 1300-1600 for women, depending on height and weight. You also expend calories doing things like walking around, typing, playing sports, etc. These are your activity-based energy demands and are probably around 300-400 for a typical school day. Add these two numbers together and you have your energy consumption for each day. Energy input, obviously, comes from food and is typically written on the packaging, or you can google calorie information on just about any food item you're interested in.

Intro to muscle building

When you exercise, you put stress on your muscles. When this stress pushes muscles close to their limits, the muscles suffer microscopic damage (this is why they feel sore the following day). Your body interprets this damage as a sign that more muscle is needed. Under the right conditions, it not only repairs the damaged muscle, but also adds extra muscle fibres to ensure that the next time those muscles are stressed, they're ready to deal

(Continued from previous page)

with the added demands.

But there are also countervailing factors that act to limit the rate at which your body is willing to build muscle. Muscle requires a lot of energy to produce and maintain, so your body is reluctant to add muscle mass unless it has a really good reason to do so. How much you eat and the amount of protein in your diet will influence the amount of muscle your body is prepared to create at a given time. There's also an important gender effect – men find it far easier to build muscle than do women, particularly in certain areas of the body (like the biceps or back). Incidentally, this program will not cause women developing “manly” levels of muscle, so if you're a female reader and are worried about looking too much like a bodybuilder, don't worry.

Can you combine simultaneous fat loss and muscle building? Yes and no. Typically, your body's reluctance to build muscle is reinforced by the caloric deficit needed to lose weight, which makes muscle-building difficult or even impossible. However, beginners can typically do both, at least for a while. You can expect simultaneous gains early on in the process (the first 3-6 months) but these will become harder and harder to achieve over time. After a certain point it makes sense to focus on either muscle-building or weight loss for a time, then switch to the other goal. But that's a long way off for most of us.

Anatomy 101: Your muscles from head to toe

This section surveys the major muscle groups of the body. We include it because it's important to be an educated consumer of health information and the foundation of that education is knowing what names are given to different parts of the body and what those body parts do.

For more information, a comprehensive but somewhat technical source is located at: <http://exrx.net/Lists/Directory.html>

Traps: The trapezius muscles are located along either side of your spine from the middle part of your back all the way up to your neck. The top parts of your trapezius are the muscles that slope down from your neck to your shoulders. You use them to shrug and as part of many back exercises.

Deltoids (shoulders): Your shoulder muscles are actually divided into 3 parts, each responsible for raising your arm through a different plane of motion. The anterior (forward) deltoid raises your arm in front of your body, the lateral (side) deltoid raises it to the side, and the posterior (rear) deltoid handles arm movement behind your body.

Back: The back is composed of many smaller muscles, which together make up one of the most powerful muscle groups in your body. For our purposes, we'll simplify this to the upper and lower back. The upper back muscles pull your arms in towards your body (like rowing an oar), while the lower back flexes and stabilizes your spine (think of straightening your back after bending over to pick something up off the ground).

Chest: The chest or pectoral muscles are used to move the arms across the body or to extend the arms against resistance (think of a push-up).

Triceps: These muscles are located on the back of your arm upper and their function is to straighten the arm (again, think of a push-up – the chest muscles begin the motion while the triceps finish it).

Biceps: The biceps are the muscle on the front of your upper arm, whose function is to bend or curl your arm inwards around your elbow.

Brachialis: The poor and often forgotten cousin of the bicep, this muscle is located underneath it and performs the same function. Depending on the angle of your wrist, the biceps and brachialis share the effort of curling your arm. The farther your wrist is rotated away from its natural resting state, the greater the share of work that is shifted to the brachialis.

Forearms: The muscles on your arm below your elbow are mostly used to flex your wrist in different directions.

Core: This term gets thrown around a lot and often means different things to different people. It typically refers to the deeper muscles located around your mid-section (like the obliques, abs and some deeper abdominal muscles), lower back and hips. One of the things that these muscles have in common is that they all contribute to balance. Many of the deeper ones are difficult to exercise directly.

Abs: Your abs are the muscles that give you a six pack. They're used to flex the torso forwards (upper parts of the abs – think of a sit-up) or to raise the pelvis upwards (lower portion – think of raising your lower body into the air while lying flat on your back). One of the challenges of exercising the abs is preventing the stronger hip muscles from getting involved and taking on the lion's share of the work.

Obliques: The obliques are the muscles that run up the sides of your torso, above your pelvis but below your ribcage. They're responsible for flexing your torso from side to side.

Hips: Much like the back, there are actually a lot of different muscles located in the hip region, but for the sake of simplicity we'll lump them together. Your hip muscles swing your legs from side to side and also control the rotation of your pelvis.

Glutes: Your butt muscles. The glutes are a very powerful muscle group, which is logical since they contain the largest single muscle in your body. Your glutes help many lower body motions by moving your hips in various directions.

Quads: These are your thigh muscles. They're used to extend your leg below the knee and are the most powerful muscles in most people's bodies.

Hamstrings: Your hamstrings are located on the backs of your legs above the knees and are used to bend your legs below the knee. In modern lifestyles, most of us have weak hamstrings, particularly compared to our quads. Strengthening the hamstrings helps improve posture.

Calves: Your calves are the large muscles located below the knee and they are responsible for flexing your feet (think of standing on your tip-toes).

Symmetry: While our bodies are generally symmetrical, it's normal for people to have small differences in their right and left sides. Typically asymmetries will be located in the upper body, mostly the arms/shoulders. The exercise program (articles 3 and 4) is designed to help even out any asymmetries that may exist (see also the sections on “Muscular Imbalances” and the “Weak Side Rule” in article #2).

(Please read on to part 2)

THE STUDENT WELL BEING COMMITTEE
INVITES YOU TO *FREE YOGA AND
MEDITATION* SESSIONS !

WHERE : SSMU, Lev Bukman Room

WHEN: every thursdays from 2:30 pm to 4:00 pm

*Simply bring yourself (and friends too) along with a smile and a yoga mat (if you have one). Take a break at your friendly neighbourhood yoga stop !

AND Tuesday November 9, the Student Well Being Committee invites students to an inter-year bonding session that will take place in the Atrium, from 4:30 pm to 6:30 pm.

Students are welcome to share their worries, thoughts, as well as suggestions related to how they are coping with daily stress and workload.

There will be yummy snacks and a friendly ambiance, so come join us !

Law II

**ERDAL
GOK**

CARTOON



STUDENT WELL BEING COMMITTEE

PRESENTING THE COMMITTEE

My name is Georgia Papadoulas. I am very happy to be a coordinator of this year's student well being committee! Votre bien-être est au cœur de nos préoccupations. Nous souhaitons vous inciter à adopter (ou à maintenir) un mode de vie sain et équilibré en organisant divers ateliers. It is very easy to neglect your health when you are feeling overwhelmed and buried under casebooks. Your physical and psychological health comes first! Come join us to relax and have fun!

Bonjour à tous et bienvenue au club de bien-être pour les étudiants en droit de McGill! Our goal this year is to help you live in the moment, and experience less stress while balancing your obligations as a law student. On pense organiser une variété d'activités pour vous garder en forme psychologiquement, physiquement et socialement. While we have some ideas in mind, including yoga and cooking lessons, we are always open to hear from you. Au plaisir de vous rencontrer! =) Zoe

Hello Law Students,

My name is Jonny Asselstine and I am very excited to be a member of the Student Health and Well Being Committee for 2010-2011. If there is one thing we know as law students it is stress. Whether we are behind on our readings, cramming for an exam, or thinking about a paper, we always find a way to let stress creep into our lives. We know it is impossible to eliminate this completely, but it is important to find other avenues to help level out these feelings and to not let them take over your life. This is where we come in. With various activities planned by the committee (and we are also open to suggestions), we are finding activities to help take a step back from our rigorous day to day activities, and more importantly to re-juvenate our body and spirit.

Also, McGill University has an EXTENSIVE arsenal of resources to help with student well being, such as general mental health, eating disorders, disabilities, academic counseling, and many more. Please contact anyone on the committee and we can put you in touch with any of these services immediately.

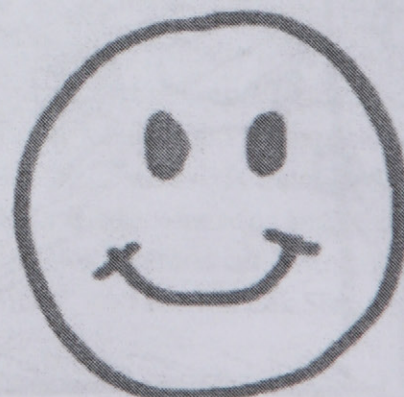
So until next time, KEEP FIT AND HAVE FUN

STUDENT SERVICES/ BROWN BUILDING

Information desk	398-8238
Student Services	398-3825
Career Planning Service (CaPS)	398-3304
Chaplaincy Service	398-4104
Counselling Service	398-3601
First Peoples' House	398-3217
First-Year Office	398-6913
Student Health Service	398-6017
International Student Services	398-4349
Macdonald Campus Student Services	398-7992
Mental Health Service	398-6019
Office for Students with Disabilities	398-6009
Student Aid Office	398-6015
Tutorial	398-6011

UNIVERSITY AND OTHER SERVICES

Emergency	398-3000
Athletics	398-7000
Dean of Students	398-4990
Exchanges and study abroad	398-8342
Health Plan (ASEQ)	789-8775
ICS Help Desk (IT Help)	398-3398
Libraries	398-4700
Lost and Found	398-4556
McGill Nightline	398-6246
Off- Campus Housing	398-6010
Ombudsperson	398-7059
Residences	398-6368
Sexual Assault Support	398-8500
Security Services	398-4556
Service Point	398-7878
Student Accounts	398-3900
Walksafe	398-2498



LAW LIBRARY

SCIS?

Extended Hours

Thanks to the generosity of the SSMU, the Law Library is offering extended study hours (until 01:45 a.m.) earlier this year, starting from October the 9th.

Databases & Passwords

At present, Westlaw and QuickLaw are available campus-wide through the IP access (without passwords). You will need only your student card barcode and Library PIN to access the Westlaw. You also need your student card barcode and Library PIN to access Taxnet.pro, DCL, and REJB databases.

New Reader's Experience

You can broaden your reader's experience by borrowing one of 10 Sony e-readers available in the Law Library (2 weeks loan with 1 renewal). <http://www.mcgill.ca/library/library-using/computers/ereaders/>

Law Library Goes Green

Law Library started a pilot energy-saving project. We are changing our light bulbs (probably, you have seen the scaffolding in the middle of the ground floor) for the new "greener" ones.

New Location of the Reference Collection and Print Abridgements

Now, you can find our Reference Collection (encyclopaedias, dictionaries, etc.) on the former place of the print Canadian Abridgement, near the windows on the 2nd floor.

Print Canadian Abridgement, Annuaire de Jurisprudence du Québec, and Annuaire de Jurisprudence et Doctrine du Québec have moved on the 3rd floor, rows # 23 - 24.

We are starting this weekly column of the Law Library news to keep you posted about new or improved services, renovations new opening hours, major changes or additions to the print or electronic collection, etc. in the Nahum Gelber Law Library. Also, in this column, we would be delighted to answer all your library-services-related questions.

Please send your questions to Svetlana Kochkina, Liaison Librarian at the Nahum Gelber Law Library
svetlana.kochkina@mcgill.ca

THE GRADUATION COMMITTEE

3LS AND 4LS - WE WANT YOU!

Do you want to help plan Graduation Ball? Do you have ideas for what our Class Gift should be? Do you have any idea what By-Law 6, 4.3.4 is talking about? If you answered YES to any or all of these questions – the Graduation Committee would like to hear from you!!

Le Comité organise le bal annuel des finissants et a la responsabilité de choisir un cadeau de promotion des finissants. On a besoin de votre aide afin d'assurer que le bal sera le meilleur événement du siècle ! On cherche donc des bénévoles qui pourraient nous aider avec la logistique du bal - en contactant des endroits possibles pour le bal, par exemple. Si cela vous intéresse, veuillez nous contacter !

We are aware of the concern many of you have with the date of the Graduation Ball being close to bar exams or bar school admission exam dates. We are currently eyeing dates in March that are after all the LSUC and École du Barreau dates of which we are aware.

As for graduation photos, we will be announcing photo weeks shortly; the goal is to have one week this semester and one week next semester. Stay tuned to Notice Board and the Quid for

the details – let's make our photo mosaic complete and awesome!

De plus, nous sommes chargés de choisir un cadeau de promotion pour les finissants – l'année dernière le Comité a créé un Criminal Law Prize. Nous allons vous consulter pour la sélection finale, mais pour le moment, on sollicite vos idées si vous en avez. Si le choix du cadeau vous tient à cœur et vous voulez assister le sous-comité dans cette tâche, veuillez nous contacter aussi.

Merci bien pour votre collaboration !

-Charlie Feldman, Président - Comité de graduation

Committee : Viviane Lentz – Présidente, Comité du Bal de graduation /

Tim Bottomer – Président, Comité Class Action / Firas Ayoub – Président, Comité des affaires administratives relatives à la graduation

NOT ROCKET SURGERY - KEEPING IN THE KNOW

This week's column deals with email lists that McGill law students should probably be on. I've left out "Notice Law" because it's obvious, but if anyone hasn't signed up already, do it now. All faculty events are advertised there, as well as request for summaries, offers to sell books or sublet apartments, etc. On the topic of obvious lists, depending on your age, interests and whether you did Frosh, you may also want to sign up for SSMU's email list or the PGSS email list. Both contain long lists of upcoming events and parties organized by the respective student society.

1) Faculty Email Lists: Even if you're not a student in philosophy, economics, anatomy, etc., you can still sign up for faculty email lists (if they have multiple lists, ask to be added to the graduate student one – it always has the best info). These lists will then bombard you with information; the poli sci department averages 10 emails a day. Most of these emails aren't useful, since they deal with job offers, overseas conferences, or calls for journal submissions. But these emails will also in-

clude amazing opportunities. In particular, faculty email lists publicize talks and workshops given at McGill. These lectures are a great way to keep in touch with your old major, or to broaden your horizons. For example, last week I got a chance to hear a talk given by Nobel Laureate, Dr. Muhammad Yunus (founder of the Grameen Bank), through a last-minute email on the poli sci department list.

2) McGill International Students Network: Again, this is a list you can join even if you aren't an international student. The MISN organizes a bunch of events and parties, but the major benefit of being on their list are the trips. MISN trips are very cheap and involve great destinations like Québec City and New York. As an example, the MISN trip to Québec City two years ago cost only \$45 and involved a stop at the ice hotel along the way!

3) McGill Business Law Association: I hesitated to put the MBLA on the list, not because it's not a great list to be on (as you'll see I think it's an amazing

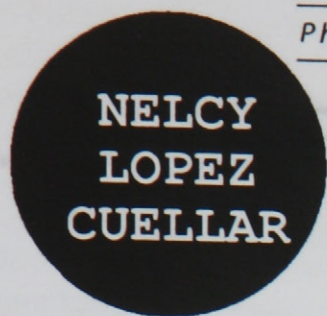
group), but because it was the only law group on the list and I'd hate to create an impression of favouritism. So let me say that the faculty is filled with great organizations and I'm merely writing about what I know.

The MBLA email list is one of the main ways you can access events held at firms. These events typically consist of a talk followed by a reception/cocktail. The quality of the talks can be highly variable – the presenters are often junior lawyers who haven't had time to prepare, or old war horses who just talk about whatever strikes their fancy that evening. The receptions, on the other hand, are uniformly amazing. The food is absolutely out of this world and puts even sponsored coffeehouses to shame. These receptions are also a great way to meet lawyers at the firms prior to beginning your job hunt (if you're planning to stay in Montreal), or can be useful to practice your networking skills prior to OCIs for other cities.

Tentez votre chance au Sudoku! Chaque ligne, colonne et case doit contenir les chiffres de 1 à 9, mais juste une fois chaque chiffre.

5	3			7				
6			1	9	5			
	9	8					6	
8				6				3
4			8		3			1
7				2				6
	6					2	8	
			4	1	9			5
				8			7	9

	6				7	5	2	
			9			6		
1						8		7
			3				1	2
		3	5		1	4		
4	2				8			
5		8						6
		7			9			
	9	6	4				8	



Ph.D Candidate

KEEP LEARNING - GRADUATE STUDIES IN LAW

Some people say that after one graduates as a lawyer one never stops learning law. This is true, I think, but what this assertion leaves aside is how we keep learning law. After finishing my Bachelor's Degree in Law in my country, Colombia, I have walked different learning paths. I first clerked at the Colombian Constitutional Court for several years, which showed me how a judge is supposed to balance different conflicting interests, and the challenges this weighing process entails. This hands-on learning process was not enough for me, at a given moment. Practice generated some mind-boggling questions. Mainly, I began to wonder why some judicial decisions were difficult to implement, and how this implementation process could be improved in order to have actual protection of people's rights. These questions puzzled me to such an extent that it was imperative for me to take a break from practice in order to solve them.

This was the moment in which I decided to go back to law school. I first did my Master's Degree and my initial idea was to get useful insights on how to solve the problem of non-

compliance with judgments. Completing my master's thesis did not answer my question completely, however. Since the questions were still relevant to me, I decided that they merited several years of reflection. This is why I embarked in a long term research project at McGill as a doctoral candidate. I am now in my fourth year of doctoral studies and, finally, I am close to finishing my dissertation! The fruits of this process have been numerous. For instance, I have learned that in order to better understand the question that initially puzzled me so much, that it was necessary for me to renounce my role of legal super-hero. That is to say, instead of answering how this problem of noncompliance could be solved and how I could finally make justice, I should have a broader perspective and think what type of institutional dynamics of authority non-compliance entails. In addition, I have learned to be a careful reader and, hopefully, a better writer. Moreover, I have come to realize that in this learning process, with a good dose of intellectual humbleness, one can learn a lot from professors, peers and, of course, from authors that one

includes in her research.

Now that I am close to finishing my dissertation, I plan to go into legal education. In addition to my clerking experience, my years of study and reflection make me feel ready to guide law students in their learning process. This new professional experience, ideally, will lead me, once again, into a new and rich legal learning process.

On Wednesday, November 10, 2010, the CDO has organized a Graduate Career Day whereby professors from McGill and Universities across Canada will be giving three short talks on graduate studies. The topics include:

- Pursuing Grad Studies
- Life as an Academic
- Finding Funding

The discussions will be taking place during the universal break and all who have contemplated graduate studies or those wishing to learn more about what it means to be a graduate student are encouraged to attend.

Need proof of registration?		3.	Select the Student Menu
Print a Proof of Enrolment Letter /Graduation/Credits completed to-date		4.	Select the Student Records Menu
Students who require confirmation of their status at McGill can obtain a signed letter listing the terms they were registered at McGill by accessing their record in Minerva.		5.	Click Letters – Proof of Enrolment
		6.	Select the appropriate term(s) and type of letter
		7.	Click Submit/Print
		8.	The letter will open in a PDF file which can then be printed or saved
1.	Login into Minerva	- Nancy Czemmell, Student Affairs Officer	
2.	Log in using your McGill Username/McGill ID and McGill Password/PIN		

MICHÈLE
LAMARRE-
LEROUX

Law I

JE SAURAI À QUOI M'ATTENDRE...

Suite à l'appel à tous de Charlie pour recevoir des articles, j'ai décidé de vous faire part d'une expérience vécue à la faculté qui, j'ai l'impression, va demeurer imprégnée dans mes souvenirs de mon passage ici.

J'ai assisté à la Conférence «Are gifts contracts?» donnée dans le cadre des ateliers de formation continue en droit civil imposée par le Barreau du Québec le vendredi 8 octobre dernier. Le conférencier, M. Richard Hyland, exposait sa compréhension des différents systèmes de lois, tant dans la tradition civile que celle de droit commun, par rapport aux enjeux que représentent les cadeaux. Pour ceux qui sont intéressés en la matière, très intéressante par ailleurs, je vous réfère à son ouvrage sur le sujet cité à la fin de cet article. Je ne m'avancerai pas sur la théorie qu'il a exposée, d'abord parce que je manquerais de place, et ensuite parce que je n'ai pas la prétention d'avoir bien saisi son exposé. J'aimerais plutôt insister sur l'atmosphère générale et les observations que j'ai pu faire en tant qu'étudiante de première année encore très étrangère au monde des «intellectuels du droit». Pour commencer, j'étais la seule de cet auditoire qui était hors de tout doute une simple étudiante. Je me suis rapidement retrouvée entourée de presque tous mes professeurs de première année, d'autres professeurs et d'avocats pratiquants. Je ne me sentais définitivement pas à ma place, surtout quand le doyen m'a jeté un regard dans lequel je lisais clairement (enfin,

c'est l'idée que je m'en suis faite) qu'il se demandait en quelle année je pouvais bien être. Heureusement, Prof. Jukier est venue s'asseoir à côté de moi et a fait un effort notable pour m'inclure un tant soit peu dans la conversation qu'elle avait avec ses collègues.

Suite à une introduction plus qu'élogieuse du conférencier, ce dernier a commencé son discours en s'excusant du fait qu'il avait oublié que les gens qui seraient présents à la conférence maîtrisaient tous parfaitement les deux langues. Il se sentait mal de n'avoir préparé son exposé qu'en anglais. Cela m'a arraché un sourire, partagé d'ailleurs par bien des professeurs. M. Hyland a poursuivi avec ce qui se rapportait plus à une lecture de ses notes qu'à un véritable exposé, ponctué des bruits de tous ceux qui mangeaient autour et des cellulaires qui sonnaient. Il faut croire que les professeurs ne sont pas à l'abri des vices qu'ils reprochent aux étudiants.

Après avoir mis ses idées sur la table, le conférencier a proposé de répondre aux questions. Je pense qu'il a pris plus de notes provenant des interventions des gens que n'importe qui dans la salle en pris durant sa présentation. Moi qui trouve que les interventions de mes collègues s'éternisent parfois dans un étalage de faits, concepts, et pseudo-vérités qui ne font que rembourrer inutilement l'essentiel de leur question, ce n'est absolument rien comparé aux questions posées par des intellectuels qui structurent

l'ensemble de leur commentaire en fonction des théories qu'ils maîtrisent. Une question qui prend 5 minutes à formuler, personnellement, je n'appelle plus ça une question; c'est un prétexte pour bien signifier à l'autre l'opposition qu'on ressent face à ces idées, ce qui est apparemment très bien accepté dans un contexte comme celui-ci. Certaines interventions montraient grâce à un vocabulaire sans équivoque des positions claires et bien campées par rapport à différents enjeux du droit. Et je sentais que plusieurs réagissaient soit par un soudain inconfort physique ou alors par une grimace montrant clairement le branle-bas de combat dans la tête de certain. Malgré ces opinions qui ne faisaient pas l'unanimité, j'observais toutefois un grand respect pour les propos de chacun. Il existe un réel détachement entre la personne et la pensée. Ainsi, chaque commentaire était pris très au sérieux par l'invité, qui répondait par l'habituel «Very interesting point, I'm very pleased you brought that up» que nous répondent souvent nos professeurs et dont la connotation m'est encore incertaine.

Ce n'est bien sûr que le point de vue d'un intrus à cette conférence. Cela m'a tout de même permis de découvrir une belle communauté de partage et de connaissances, aussi particulière soit-elle. Au moins, je saurai à quoi m'attendre la prochaine fois.

THE CDO (CAREER DEVELOPMENT OFFICE) LEXICON

A lot of expressions get thrown around the Faculty of Law and many students are (understandably) unsure of their meanings. In response, the CDO has prepared a short lexicon of career-related terms. Enjoy!

Alumni: An alumnus is simply someone who has received a degree from a school. Graduates of the Faculty of Law are often referred to as alumni.

Clerkship: A clerkship involves working closely with a judge in doing legal research and writing opinions.

OCIs: On-Campus Interview are formal recruitment processes whereby firms and government organizations from other cities in the US and Canada make their way to Montreal or Toronto to interview McGill students for summer positions. Interviews are granted on the basis of online applications. A summer student position often leads to an articling position with the employer once studies have been completed.

Course aux stages: A formal recruitment process whereby Montreal firms recruit law students for articling positions. Interviews are granted on the basis of online applications. Students who obtain a stage are often expected to work at the firm at least one summer before they article.

Summer student: Someone who works at a law firm during the summer. Those who participate in OCIs are looking to become summer students.

Articling / Stage: A legal apprenticeship. It is a formal requirement for being called to the bar in most provinces. The length of articles varies from province to province (e.g. 6 months in Quebec, 10 months in Ontario).

Full service firm: A firm that provides services in many different areas of law.

Boutique firm: A firm that specializes in one or a few areas of law (e.g. tax law, or litigation).

DOJ: The Department of Justice provides legal support for the federal government. Students who wish to work for the DOJ can find summer and articling opportunities in many areas of law, including but not limited to immigration law, administrative law, Aboriginal law, environmental law, criminal law and tax law.

MAG: Much like the DOJ, the Ministry of the Attorney General of Ontario provides legal advice to all provincial government ministries. Ministries that hire summer students include the Ministry of Energy, the Ministry of Infrastructure, the Ministry of Agriculture, the Ministry of Finance, the Ministry of Labour and many more. Family law, constitutional law and criminal law are popular areas of law for MAG.

Career Days: A day when legal employers (including corporate law firms, government agencies, public interest law firms and graduate schools) come to the Faculty of Law to present themselves to students. There are four Career Days throughout the academic year: Graduate Studies and Academic Career Day, Common Law Career Day, Civil Law Career Day and Public Interest Career Day. Career Days normally take place in the atrium.

myFuture: Not the same as myMcGill! Students should use this website to: a) look at job postings (including summer and articling positions that are not part of a formal recruitment process); b) sign up for events here at the Faculty and elsewhere; c) send in your applications for

most of the formal recruitment processes. <https://law.myfuture.mcgill.ca/students/>

CDO website: Students should use this website to: a) find information (including important dates and deadlines) regarding the formal recruitment processes; b) download various CDO publications, including the LEH (see below); c) find links to various job search engines. <http://www.mcgill.ca/cdo/>

Facebook: Another CDO tool used to remind students of events and deadlines. <http://www.facebook.com/law.cdo>

LEH: The Legal Employment Handbook is a career guide published by the CDO. It contains information regarding all aspects of the practice of law. It also includes testimonials, sample CVs and sample cover letters. Download all of the CDO publications for free on the CDO website.

Petit Guide Jaune: A tiny document that contains a timeline of career-related events for the academic year. Pick one up at the CDO (NCDH 416).

CDO Advisory Board: A committee whose members consist of the Assistant Dean, the CDO Director, the CDO Coordinator, as well as three representatives from the LSA. The committee meets regularly to ensure that the CDO continues to meet the needs of the student body.

MICHAEL SHORTT
DAVID NEWSTONE
CARLY KLINKHOFF
IBRAHIM ATTAR

FITNESS FOR LAW STUDENTS (PART 2)

Intro

This article provides practical advice on exercise and weight-training. It also lays out the goals and methods behind the beginners' exercise program we'll be introducing in the next two issues of the Quid.

Outline of this article series

This is a four-part article series. Part 1, a separate article published in this issue of the Quid, provides background information on health and fitness. Part 2, this article, provides general tips on weight-training and exercise, as well as injury-prevention techniques. Parts 3 and 4 each introduce one of the two workouts that are part of the beginner's exercise program that we have designed. They will appear in next two issues of the Quid.

What are the goals of this program?

This is a general fitness program. It will help you lose weight, build muscle and also improve your endurance, speed and balance. That said, its primary purpose is weight-loss. Because it's based mainly on weight-training, you can also expect muscle gains, particularly if you are a male or have never lifted weights before.

Who is the program for?

This program is aimed at beginners: those who have never tried weight-training, or who have worked out for less than a year. If there's enough interest, we will come up with an intermediate program later

this semester. The program can work for either men or women, although we acknowledge that a few of the exercises are slightly more guy-friendly (such as push-ups).

What's the time commitment?

Three workouts of at most one hour per week. The time per workout will shrink as you get better at the program, because you will be able to perform exercises at a faster rate and you will need less rest between exercises. Your workouts will normally take around 45 minutes and, if you're really, really good, 30-35 minutes.

Training objectives

When performing the exercises in this program you should have three overarching goals in mind: technique, speed, and reps/weight. These goals are ordered; focus on #1 (technique) before moving on to #2 (speed). And don't start increasing the number of repetitions or the amount of weight you're lifting (#3) until you've mastered the first two steps.

Technique: This involves two very important sub-goals: perfect form and a full range of motion.

Perfect form means following the exercise instructions in Parts 3 and 4 of this article series; that you lift in a controlled manner, without momentum; that you maintain good posture; that you remember to breathe (inhaling and exhaling deeply); and that you don't shift weight onto muscles other than the one(s) that you're targeting with that exercise. This will help prevent injury and ensure that your exercises benefit the correct muscles.

Training through a full range of motion means completing the exercise to the limits of your flexibility. So on a push-up, for example, you must lower your body al-

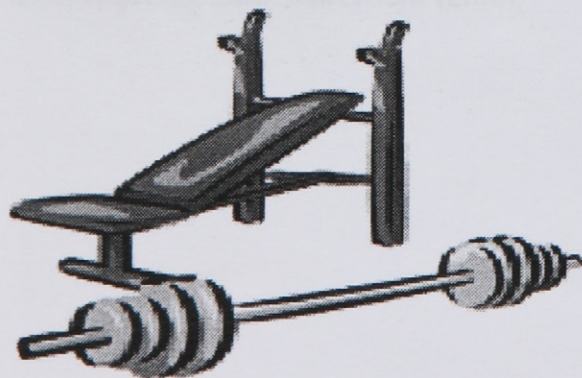
most to the floor, then raise it until your arms are fully extended. Training in a full range of motion will activate as much of your muscle fibres as possible, resulting in more calories expended and a greater potential for muscle growth. Because your muscles are usually weaker at the extremes of their range of motion, you need to pick a weight that is light enough for you to accomplish this. For guys this may mean checking your ego at the gym door; you will eventually be able to progress to heavy weights, but initially, you should keep things light both to avoid injury and to facilitate developing proper technique.

Speed: Once you've mastered the proper form and full range of motion for each exercise, you are ready to increase the speed at which you complete the exercise. Increased speed should never come at the expense of technique.

Reps/weight: Once you can complete an exercise at a quick but controlled rhythm, you are ready to increase either the number of repetitions you perform or the amount of weight you lift each time. For exercises that use only your body weight (situps, pushups, etc), we recommend increasing the number of reps from 15 to 20 and eventually to 25. For exercises involving outside weight sources (dumbbells, barbells, or machines), we recommend increasing the weight until you can only perform 10 repetitions at time, then building back up to 15 reps, at which point you can increase the weight again, and so on. This progression will help you to gain muscle while losing fat.

Tips for weightlifting and exercise

Weak Side Rule: If one side of your body is weaker than the other (typically the arms or shoulders) always begin with that



side. Note how many repetitions you could do with your weak side, and then do at most that many reps with the strong side. By using your weak side as the limiting factor you ensure that your body develops symmetrically and avoid placing undue stress on the weaker side.

Proper breathing: Always inhaled deeply with the first motion then exhale deeply with the second. Never stop breathing or let your breathing labour.

Posture: When exercising always keep your back in its natural position (no rounding or arching of your spine) and avoid placing any strain on your neck. You should never feel stress in your neck muscles and you should only feel stress on the lower spine during lower back exercises. If you do feel stress, it's a sign that you're using too much weight (and your body is shifting it to your back/neck muscles) and/or that your exercise technique is off and stress is being placed on the wrong muscles. The exercise descriptions provided in Parts 3 and 4 will contain additional information about how to perform individual exercises correctly.

Water: You should drink a lot of water over the course of your workout – ideally 1-2 litres. The best strategy is to bring a large water bottle and drain it at the end of the workout if you haven't done so before then. Failing that, you should make sure to use the water fountains during every break between exercises and also at the end of your workout.

Clothing: Wear loose, comfortable clothing. Your exercise clothing should not inhibit your movements, nor should it be hot or uncomfortable. If you're worried about calluses, you may wish to buy a pair of inexpensive weight-training gloves. They are sold at Sports Experts and other similar sporting goods stores.

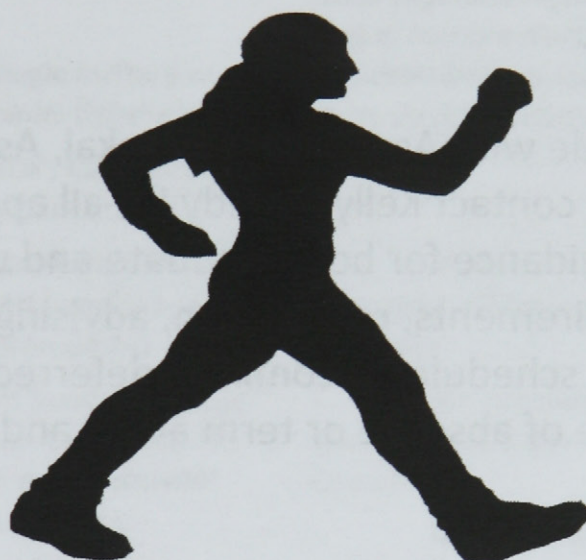
Injury prevention

Good and bad pain: It's normal to feel sore after a workout. Sometimes this will happen immediately, but sometimes you won't feel it until the next day. This soreness will be felt in the muscles themselves, either when you use them, or when you apply pressure to them. This is a good sign, because it means that you've successfully challenged your body and pushed its limits. Any soreness like this will go away in 1 to 3 days. You'll experi-

ence extra soreness when you begin a new exercise program; over time soreness will disappear more and more quickly.

There is also bad pain. Anything that persists for more than 3 days or is sharply uncomfortable is likely a sign of injury. Any joint pain is bad, as are popping sounds (they're a warning sign). If you experience joint pain, take a break from lifting weights or activities that cause repetitive stress to the joints (like jogging for the legs). You may have used too much weight or didn't give your body enough time to recover between workouts.

Rest days and recovery time: It is important to give your body time to recover between exercise sessions. It takes time to



repair damaged muscle fibre and to add new muscle, and going to the gym before that process is completed is both inefficient and potentially risky. That's why our program calls for 3 sessions a week; this gives your body at least one rest day between sessions at all times. We don't recommend doing a lot of cardio on your off-days, since this can put your recovery on hold.

Resting between sets: Always take breaks during your workout when they are scheduled, and don't be afraid to take additional breaks if you feel that you need them. Listen to your body and trust your instincts – it's better to progress more slowly than to risk any kind of injury.

Maintaining a balanced physique: You should avoid overtraining some muscles relative to others, which can lead to injury when weak and strong muscles are both stressed at a level appropriate only to the strong muscle. Follow the Weak Side Rule

(above) if you have any right/left imbalances, and don't cut exercises from the program if they target muscles that you do not exercise often.

Stretching: Always stretch at the end of each workout. Emphasize stretching muscles that have a limited range of motion.

Nutrition: Eat a small snack after your workouts to help recover energy faster and provide your body with fuel to build new muscle. Ideally this snack should be high in protein. Healthy protein choices include nuts, cottage cheese, tuna or lean meats.

Vocabulary

These are some basic terms that you'll encounter in Parts 3 and 4 of the article series, or in weight-training resources that you read online.

Reps: A single performance/repetition of an exercise. 15 reps of push-ups means doing a push-up fifteen times.

Sets: A group of repetitions. 15 reps of push-ups represents one set.

Superset: Doing a pair of sets back to back. 15 push-ups followed by 15 sit-ups is a single superset.

Spotter: An exercise partner who stands near you when you lift heavy weights, and helps you lift them if your own strength fails. A spotter is generally needed when doing bench presses and other exercises that are dangerous if your strength fails you.


Dumbbell: A short rod with pre-attached weighted plates on either end. Dumbbells require one hand to use.

Barbell: A long bar with separate weight plates placed (and secured with a clip) on either end. Barbells can be fixed weights or allow the user to add weight. Barbells require 2 hands to use.

Free weights: Dumbbells or barbells; any weight that isn't part of a machine.

Cables: Machines that allow users to lift weights by pulling on a cable handle (rather than a lever, sled, or some other mechanism).

Bodyweight: Any exercise performed solely using the weight of your body (push-ups, chin-ups, sit-ups).



SAO

UPCOMING & NEWSWORTHY

- **NEW! Advising Drop in Hours (Nancy Czemmell & Kelly Cassidy)**
Either Nancy or Kelly will be available for advising during the following time blocks:

Mondays: 9:00 a.m. – 10:00 a.m.

Tuesdays: 10:00 a.m. – 11:00 a.m.

Wednesdays: 4:00 p.m. – 5:00 p.m.

Thursdays: 9:00 a.m. – 10:00 a.m.

* Appointments may also be made with Asst. Dean Topsakal, Assoc. Dean Lametti, Nancy Czemmell or Kelly Cassidy. Please contact Kelly Cassidy for all appointments.

* We provide information and guidance for both graduate and undergraduate students on the following: programs, degree requirements, registration, advising, course changes & schedules, procedures for withdrawal, exam schedules & conflicts, deferred & supplemental exams, rereads, academic standing, leave of absence or term away, and graduation.

Exchanges

- **Exchange & Study Abroad Application Deadline:**
All 2011-2012 exchange and study away programs
(Summer term 2011, Fall term 2011, Winter term 2012 and Full year)
Friday, 5 November 2010
Application must be completed in Minerva; CV must be submitted to SAO by 3 p.m.

LEGAL FRONTIERS IS BACK! / LEGAL FRONTIERS EST DE RETOUR!

Legal Frontiers, McGill's International Law Blog, has started its second year of full-time blogging. In the past year we have enjoyed great successes from being named Best Club by the LSA to receiving a nomination for Law Blog of the Year in the 2010 Edition of the Canadian Blog Awards. Vote for us at : <http://tinyurl.com/voteforLF> (Best Law Blog).

We hope to replicate these successes this year by increasing our French article contributions as well as by publishing Special Contributions from distinguished academics and professionals in international law. Topics covered on Legal Frontiers this past week are:

- litigation as a means of pursuing strategic military or political objectives in the Middle East conflict (Daniel Haboucha)
- the Ontario Court of Appeal and France's Constitutional Council decisions concerning the niqab (Nafay Choudhury)
- the United States' international responsibility for the intentional infection of Guatemalan prisoners and handicapped residents with sexually transmitted diseases (Keiran Gibbs)

Our first Special Contribution was published on Sunday October 24th and is authored by Osgoode Hall Professor Aaron Dhir. His article explores the intersections of corporate, environmental and social governance with international human rights.

Please join us at www.legalfrontiers.ca to read these articles and much more!

Legal Frontiers, blogue de McGill sur le droit international, entame sa deuxième année de blogging quotidien. Nous avons connu plusieurs succès depuis l'année dernière: Legal Frontiers a en effet été désigné meilleur club par l'Association des étudiants de droit (AÉD) de McGill, en plus d'être nominé dans la catégorie du blogue en droit de l'année dans le cadre du Canadian Blog Awards édition 2010. Votez pour Legal Frontiers en suivant le lien : <http://tinyurl.com/voteforLF> (Best Law Blog).

Nous espérons répliquer ces réussites cette année en augmentant le nombre d'articles publiés en français ainsi qu'en publiant des contributions spéciales de professeurs et de praticiens experts du droit international. Parmi les thèmes abordés la semaine dernière par Legal Frontiers, vous trouverez:

- le recours aux tribunaux comme véhicule d'objectifs politiques et militaires dans le conflit israélo-palestinien (Daniel Haboucha) ;
- les décisions de la Cour d'appel de l'Ontario et du Conseil constitutionnel français concernant le niqab (Nafay Choudhury) ;
- la responsabilité internationale des Etats-Unis pour l'infection intentionnelle de ressortissants guatémaltèques à certaines maladies transmissibles sexuellement (Keiran Gibbs).

Notre première contribution spéciale, publiée le dimanche 24 octobre, est signée par Aaron Dhir, professeur à Osgoode Hall. Son article porte sur l'intersection entre le droit international des droits de la personne et la gouvernance corporative, environnementale et sociale.

Joignez-vous à nous à l'adresse www.legalfrontiers.ca pour lire ces articles et bien plus encore !

FACL

The 4th Annual Federation of Asian Canadian Lawyers (FACL) Fall Conference is fast approaching. This year, the keynote address will be delivered by Jameel Jaffer, Director of the National Securities Project at the American Civil Liberties Union. Other distinguished speakers include Lee Akazaki, the first ever Asian lawyer to become the president of the Ontario Bar Association. Workshop hosts will feature lawyers from prominent law firms such as: Fraser Milner Casgrain, Goodmans, McMillan, Ridout & Maybee, Glaholt, Miller Thom-

son, Blaney McMurtry, Gowlings, Fogler Rubinoff, Mushtaq Law, Edwards Angell Palmer & Dodge and Torkin Manes.

This year, the conference will take place at University of Toronto, on Saturday, November 13th. Student registration is \$20 and \$45 more if you wish to attend the dinner banquet. Additional costs for transportation, which will be cheaper if we can organize group travel.

* Registration Info: <http://www.facl.ca/Fall-Conference2010.html>

* If you are not yet a FACL member, please fill out a membership form (free) and send it in

along with the conference registration:

<http://www.facl.ca/MembershipMDrive.html>
Send the package to FACL, c/o OBA, 300-20 Toronto Street, Toronto, Ontario, M5C 2B8 (specifying your attendance to either the conference, the banquet, or both), or in the alternative, give me your forms and cheque and I will send it in along with my own application. If you plan to go, do let us know so we can account for the McGill presence.

Hope to see you there,
Henry Ngan (henry.ngan@mail.mcgill.ca)

MCGILL JEWISH LAW STUDENTS' ASSOCIATION

November 8, 2010

McGill University, Faculty of Law
New Chancellor Day Hall
6pm-7:30pm, Room 312

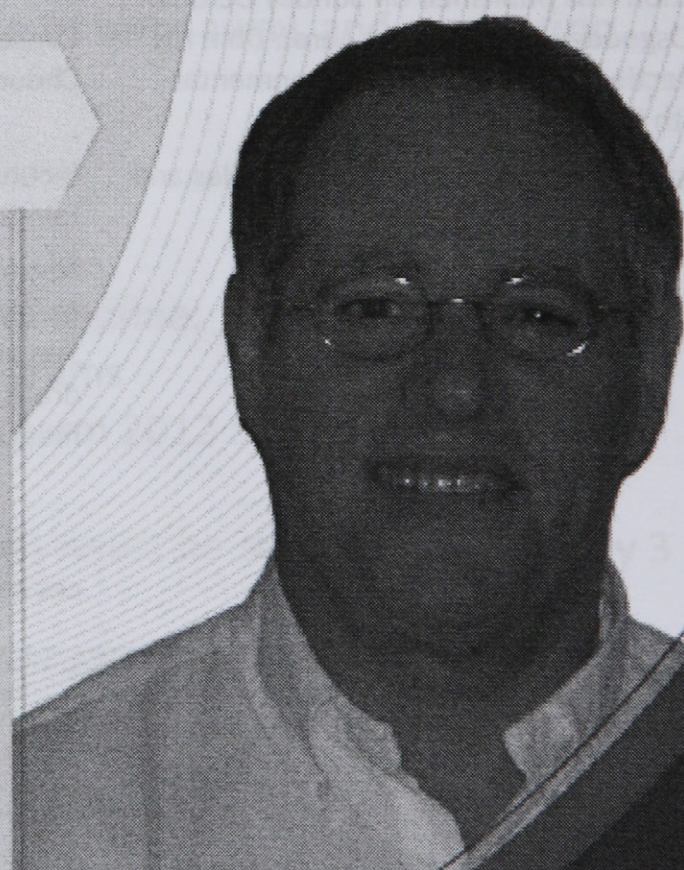
PRESENTS

"THE METASTASIZATION OF LAWFARE: The Arab-Israel Conflict in the Courts"

Prof. Ed Morgan

Ed Morgan teaches international and constitutional law at the University of Toronto. Professor Morgan has appeared at all levels of Canadian courts, the American Court of Human Rights, and the Decolonization Committee of the United Nations. He also served as national legal counsel for Canadian Jewish Congress (1998-2001) and provided the expert opinion cited by the U.S. courts on the legal status of the Palestinian Authority in the leading case of *Ungar v. P.A.* He will speak about the current push for a unilateral Palestinian declaration of independence, and the usage of international law as a means for solving the Arab-Israel conflict.

Professor Morgan will address recent developments in "lawfare" - the use of legal challenges to damage an opponent with which one is otherwise engaged in an armed struggle. Specifically, he explores anti-Israel legal actions that have spread out of their "home" territory of criminal indictments for alleged war crimes, to include subject matters as seemingly far afield as tax law, tariffs, and international trade sanctions. Professor Morgan will also explore the different ways in which legal decision makers and foreign relations actors address the identical politico-legal questions, concluding that on occasion the courts are, contrary to standard wisdom, the most dangerous branch.



For more information
jlsa.mcgill@gmail.com

ENVIRONMENTAL AND ANIMAL WELFARE IMPACTS OF INTENSIVE FARMING

*exploring the legal framework
& potential avenues for change*

www.saldf.ca

**Monday,
November 8th 2010**

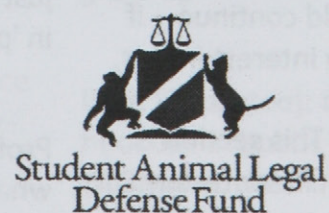
**5:30-7:00 Panel Discussion
Reception to follow**

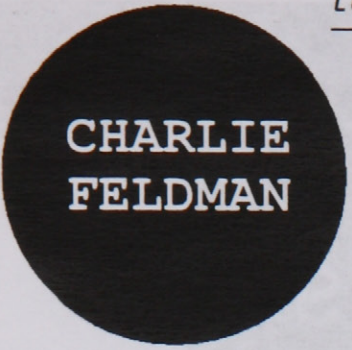
**McGill Faculty of Law,
Moot Court (Room 100)
3644 Peel Street, Montreal**

- + KAITLYN MITCHELL,
Staff Lawyer at Ecojustice Canada
- + NAVIN RAMANKUTTY,
Professor at McGill University's Department
of Geography & Earth System Science Program
- + DAVID WOLFSON,
Professor of Animal Law at New York University
and Columbia Law School



Environmental Law McGill





CHARLIE
FELDMAN

Welcome back!

Our hiatus was longer than expected so there's way too much to put here, sacrifices had to be made! Well, either that or I'm terrible at collecting this stuff - it would help if it weren't a combined compilation effort involving copy-pasting from e-mails sent to a few different accounts (quid.charlie@gmail.com SVP), facebook messages, text messages (I'm looking at you, 2L spy...), my course notes, and random hallway stops requiring me to jot on scraps of paper I later can't read and type up while praying for the best! I hope I have most everything Professorial here - student quotes will have to wait a little while longer (so as not to give you 30 pages of my section alone!).

Before getting into the quotes, I want to quickly address a few random things. First, I'm starting to think the Quid Online (our video reports on facebook) doesn't make sense on a regular basis. Katie and I haven't had a video in a few weeks simply because there's been nothing on which to report between Malpractice Cup and now (well, there should be a new video up Monday about the foosball coffeehouse, but I'm writing this in advance so perhaps there won't be). Long story short: It's a much better episode when we're not randomly scraping clips together or doing interviews about things you already know - it's more enjoyable when there is a narrative there, and let's face it - you really just want to see your classmates say silly things.

On a related note, I will (if all goes well) be graduating this year. It would be great if both these endeavors (Droit à l'image and the Quid Online) could continue - if you're a 1L or 2L with any interest in this, please do drop me a line:

quid.charlie@gmail.com. This section is easy enough to do (and quite entertaining, especially for the quotes you get that Profs ask you not to print). The Quid

Online involves much more effort, but if you have iMovie and can do random accents, please do come forward!

Since I'm on a roll, let's just awkwardly transition now to Skit Nite. I'm hoping the venue and date are firmed up this week. It's been less than straightforward this year, but once all is resolved prepare for an ambush of Skit Nite announcements all over the place. Profs - get thinking what you'd like to do and drop me a line with your ideas (and, if you want just a walk-on role with a line or two, I have the perfect skit brewing!).

On a final note, you may have seen the e-mail about the two LSA Committees being formed - one on JD/LLB and one on Constitutional reform. I just want to say that I'm delighted at how efficient the first LSA Council meeting was and I'm over the moon that the JD/LLB motion passed quickly. At some point I'll probably have a longer article in relation to both, but if you have any questions on either motion, feel free to holler.

And with all that out of the way, on to the quotes! Have a great week, everyone!

-Charlie

Overheard at the Faculty:

Dean Jutras: At most restaurants you pay after you've had food. At McDonald's, you pay BEFORE you've had the food. I'll leave it to you to figure that out.

Prof. [Redacted]: The proofreading in this casebook leaves a lot to be desired; you just can't get away with forgetting the 'L' in 'public'. You just can't.

Prof. [Redacted]: I'm trying to imagine what other enjoyable uses of a pole you could have ... I guess you could go up and down it.

Me. Mitchell: Funeral homes do not advertise to expand the market!

Me. Mitchell: Typically, humans are not idiots.

Prof. [Redacted]: So, this is something you might find interesting. Actually, at this point, I don't care if you find this interesting or not.

Prof. Moyse: Regardez les sites sur lesquels vous cliquez, je parle des sites professionnels, éducationnels...

Prof. [Redacted]: Un vin de Bordeaux se mâche et un vin de Bourgogne s'embrasse, se grume. C'est important de faire la distinction!

Prof. Jukier: They are not boo-hoo clients - they are big boys!

Prof. Moyse: C'est trassique: Traditionnel et classique!

Me. Mitchell: Just because there are ads for cat food does not mean we are all running out and buying a cat!

Prof. Klein: I don't know how many of you hound those criminal law gossip blogs...

Prof. [Redacted]: A wolverine is not a mythical animal - it DOES exist! (class dissent) Don't you tell me it doesn't exist! All of you with computers - look it up!

Prof. Moyse: Si vous avez besoin d'un décodeur à hiéroglyphe pour comprendre cette définition, c'est normal. C'est la défi-

inition qui fait mal à la tête, la définition tylenol.

Prof. Moyse: Personnalisez votre code, c'est pas high-tech mais low-tech, mettez-y des post-it, arrachez des pages quand vous en avez marre...

Prof. Klein: I apologize for stringing you along and playing with your emotions – we will not have the guest speakers this class...

Prof. [Redacted]: Is it bad if I think this class is boring and I'm the one teaching it?

Prof. [Redacted]: I'm not having the best of luck with the cops at Station 12...

Prof. [Redacted]: Then Bridget Jones used my material in her Second Book years later and I'm pissed [about that] – get your own damn material!

Prof. [Redacted]: Good value for money is rare in the case of lawyers.

Me. Mitchell: I once got a call on the weekend from opposing counsel saying "I'm in your client's house!" Needless to say, it was the most wild Saturday night of my life!!!

Me. Lamed: Many of you probably wrote about access to justice in your admissions letters. It's one of those things that goes along with motherhood and apple pie... exercising regularly... vegetables...

Me. Lamed: Where would you go to figure out which court to apply to?

?L: The McGill Legal Information Clinic?

Me. Lamed: Sure... *draaaain* the resources of your fellow students.

Prof. [Redacted]: Imagine a world where no family law case goes to court. Sounds like a wonderful society.

Prof. [Redacted]: Let's not be under any illusions about what the nobility of the profession means. We still need to eat. [pause] We also need to feed our families.

Prof. [Redacted]: The only people who do well with bankruptcy are fraud artists, lawyers, and accountants

Me. Mitchell: Sometimes, judges get carried away with doing the right thing.

Me. Lamed: If you have a few minutes and you want to amuse yourself you can watch advertisements by American lawyers on YouTube... Not now of course.

Prof. Gold: In what way was this a minimal use of the land?! It was an airport. If you walk across it you could get your head chopped off!

Me. Lamed: Humility is not commonly associated with lawyers. That may be a function of the role of morality that lawyers are called upon to display - humility is not always compatible this.

Prof. Gold: Murder's the fun part. Why else study criminal law?

Prof. [Redacted]: Don't assume that because an article is in the coursepack it's right. I may have included it because it's interesting ... in a really ... interesting way.

Prof. [Redacted]: (after putting up slides with small text): You didn't realize it, but you're at the optometrist today. Everyone here is going to get fitted for glasses after class.

Prof. Gold: Has anyone ever seen the word entailed in 19th century novels? No? ... You guys need to read more!

Prof. [Redacted]: An American court once ruled that a lawyer was not liable for negligence [due to a faulty contract] because no one understands the rule of perpetuities. So I figured that if you don't

owe your client a duty of care to understand the rule against perpetuities, there's no sense in teaching it to you.

10 minutes after class started:

Prof. [Redacted]: ... So, I'm going to go get a coffee.

Prof. Moyse: Qu'y a-t-il de spécial avec la marque "Nordiques [de Québec]"?

3L : Elle va revenir bientôt !!!

L2: What is the format of the ethics quiz?

Me. Lamed: I'll ask the questions, you provide the answers.

Prof. Moyse: C'est à la fin que l'on connaît les champions, c'est au paragraphe 36 qu'on y arrive !

Prof. Moyse: Toutes les réponses à vos questions, le Code les a, c'est comme Jean Coutu!

Prof. [Redacted]: I'm very limited by my law background. You will be too, cheer up!

Prof. Moyse: Moi, avant d'être prof de droit, j'étais jedi.

Prof. [Redacted]: A stork is neither a bad nor a good purveyor of an easement.

[In Legal Ethics after a clip is shown...]

2L #1: Wow, that city looks great... is that New York?

2L #2: Dude, the show is called "Boston Legal"... work that one out...

Prof. [Redacted]: You can't shake a stick in this town without hitting a marijuana grow-op

Prof. [Redacted]: I'm talking about gay sex hookups in public bathrooms! DOWN FROM THE META!

A first-year asked me why this section was called 'DROIT À L'IMAGE' and then it hit me – I've been incredibly delinquent with my photo duties! Actually, no, ce n'est pas le cas! Future Shop a pris possession de mon appareil photo il y a quelques semaines pour faire des réparations, et je n'aime pas le 'remplacement' qu'on m'a accordé. Alors, je prends moins de photos ces jours-ci. That said, I have been taking them (just fewer of them), and here is a random selection of recent items.



The ladies of Community Law at a recent coffeehouse. Some say it takes a village, I say all it takes is a plate topped with delicious treats! Then again, I also say NOM NOM NOM a lot, so I'm thinking there's some sort of connection... humms....

Dean Lametti (left) takes on Prof. Moyse (right) during the Foosball Association coffee-house in support of Right to Play. I don't know who has the superior foosball skills because I had to go to class and missed the end of the match, but given both are sporting 'Right to Play' shirts, I hereby challenge both to support our 'Right to Play' here by implementing recess at the Faculty. When and why did we give up on recess?! If there's one thing the Atrium needs, it's tetherball. Also, a hopscotch in the hallway outside the Moot Court would be nice – you know, just to spice it up. Actually, I just think there should be a Faculty curling tournament for charity – I would pay good money... plus there's plenty of room for bad legal trash talking... Oh yeah? How bout we let it res ipsa loquitur on the ice!!





I'm not sure if planning is underway for next year's Malpractice Cup. I won't even be around to participate, so perhaps it's useless, but I hope they bring back croquet. That was the most awesome event from Malpractice Cup '08, and the one during which there was the most trash talking. No, I'm serious, there was some INTENSE trash talking during what is otherwise thought of as such a dainty and quaint game! :-)



Prof. Leckey and the magical pumpkin he carved at coffeehouse. Yes, I said magical. I was thinking 'James and the Giant Peach' ... 'Leckey and the Giant Lemon?'. I'm not sure. As long as we're on Roald Dahl, why isn't 'The Twits' on the reading list for Family Law? And how come Charlie and the Chocolate Factory isn't discussed in contract law – (golden) ticket cases, anyone?



DO YOU HAVE CLASS OUTSIDE? NO? Sucks to be you. Clearly, Legal Education Seminar rocks! Also, a certain Prof from last year owes me \$20 because he swore I'd never have an outside class while in law school (after I made a desperate plea on a gorgeous April day in a small class last year). Hate to say 'I told you so' – only because that's four words and a picture is apparently worth a thousand so I think I got a bad deal somewhere here...



Listen, Captain Unscrupulous – return the water fountain’s... spout? We’re thirsty. Actually, I only go to the library to watch TV on my computer (bless you, McGill wifi ... oh, and before anyone asks, the Real Housewives of Atlanta is SUPER educational) so this broken water fountain really doesn’t impact me. But I can imagine how if I actually used books I’d be upset.

CRAYONS. Yes, they’re mine, but I finally felt encouraged to use them in class. Thank you, Legal Education Seminar! (Wait, TWO photos about this class in one Quid, both with effusive phrase for the course... humm... is Charlie feeling terribly guilty about something Legal Education Seminar-related... yes, yes indeed!)



R E P I P E N I E L E D A M K R B V T V W L H S O G S E N R
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 H J Y R U H D U O H C E N T A L E B A K E R T E I J H P U B
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 R L E I K O S S G Q W D D G P H M A D I O A M A R J J K O E
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 N O R F T P A U L I T T E M A L B N E W A L S H Q S I L L E
 G S U N N Y S A U M I E R A H G F G V A N A L A N G E L A E

ADAMS	GOLD	SHEPPARD	HINAREJOS
AKHAVAN	RAM	LIONEL	JULIE
KIRSTEN	JAKHU	SMITH	ADRIAN
ANTAKI	ROSALIE	MARGARET	POPOVICI
FRDRIC	JUTRAS	SOMERVILLE	KENNETH
BACHAND	LARA	TETLEY	ATLAS
JEANGUY	KHOURY	SHAUNA	BUNKER
BELLEY	ALANA	VAN	PIERRE
ADELLE	KLEIN	PRAAGH	DESCHAMPS
BLACKETT	HOI	CATHERINE	STEPHAN
ANGELA	KONG	WALSH	ERIKSSON
CAMPBELL	LAMETTI	BLAINE	MORRIS
BARNALI	LECKEY	BAKER	FISH
CHOUDHURY	RODERICK	MADELEINE	SUNNY
FRANOIS	MACDONALD	PAULANDR	ANDREW
CRPEAU	DESMOND	ARMAND	HARAKAS
HELGE	MANDERSON	DE	MARGO
DEDEK	PIERREEMMANUEL	MESTRAL	PETER
PAUL	MOYSE	JOHN	NESGOS
STEPHEN	VCTOR	DURNFORD	FRANCIS
JAYE	MUIZFRATICELLI	JANE	SCHUBERT
ELLIS	VRINDA	MATTHEWS	LUDWIG
EMERICH	NARAIN	PIERREGABRIEL	
WILLIAM	TINA	JOBIN	
FOSTER	PIPER	SCOTT	
FOXDECENT	REN	IVAN	
PATRICK	PROVOST	VLASIC	
ROBERT	GENEVIVE	PHILIPPE	
GODIN	SAUMIER	COUILLARD	
RICHARD	COLLEEN	ALICIA	

Just because something is offensive or objectionable does not render it unsuitable for publication. If someone wants to write an article under the heading "Aboriginal law deserves no place in law school", it would be incredibly unsavoury and we would find it offensive, but it may be perfectly publishable. Conversely, an article under the heading "Aboriginals deserve no place in Canada" may rise to the level of hate propaganda and therefore must be excluded lest we violate the *Criminal Code*.

So, what are the interests at play here? What makes the Quid different from other publications? Certainly, many more op-eds are sent to the *Globe and Mail* than it chooses to publish in a given issue, for example. Is this a form of censorship? Should all publications be free-for-alls?

Further, in this day and age, when anyone can post anything on the Internet - and indeed, any submission you have in mind could be a note on Facebook - what unique purpose is served by this publication? Is there even a point to having the Quid?

Simply put, the Quid is an integral part of life at the Faculty. It's a unique publication that serves law students and faculty, operating under unique constraints in terms of budget, resources, and time. Plus, our content is unique - authored solely by persons with a connection to this Faculty, and, more often than not, publishing something with a tie to the law or Faculty life. De plus, nous sommes une publication bilingue.

Ce qu'il est important de noter est que la communauté de personnes qui nous lit est unique. Oui, nous sommes tous bilingues. Nous sommes tous intéressés (à des degrés différents, évidemment) par le droit. Nous sommes uniques aussi dans l'optique où on se connaît tous ou presque.

Given the small size and inter-connectedness of our readership, it is not at all surprising that the author writing about the 'censored' article is not the author of the original piece. It's also unsurprising that Mr. Bottomer has seen the submission in question. Indeed, the Quid is not the only way to disseminate items at the Faculty.

À la faculté, nous partageons une expérience, un environnement. C'est dans l'intérêt de tous de faire un effort pour encourager une atmosphère dans laquelle chacun se sent confortable d'exister et d'étudier, sans craindre d'ouvrir le Quid et se sentir attaqué. C'est exactement pour cette raison que le Quid a besoin d'une politique qui reflète nos valeurs et nous permet de créer une atmosphère désirable.

Par exemple, l'interdiction de langage raciste ou sexiste n'existe pas parce qu'on n'est pas capable de digérer ces mots. Elle existe parce qu'on n'a pas à tolérer ce genre de mots. Non, il n'est pas toujours clair ce qui est acceptable ou non, mais à la fin de la journée, il faut prendre une décision, et le pouvoir de prendre cette décision réside entre les mains des rédacteurs-en-chefs.

Tout simplement, les limites telles qu'elles existent, sont le produit d'un dialogue qui se produit par l'entremise de l'échange d'idées entre nos lecteurs. De plus, vos commentaires nous

tiennent à coeur. Nous apprécions être informés de ce que vous pensez d'un article ou de la publication elle-même. C'est le corps étudiant qui informe nos décisions et qu'on a en tête tout au long du processus de la rédaction et de l'opération du Quid (que nous faisons non pas pour des crédits, non pas pour l'argent, non pas pour la gloire, mais par pure volonté).

We are not experts. We may not always make the "right" call. But, we do our best with what we have in the time allotted. The Policy may not be the most clear at times, but we fully stand behind its purpose, spirit, and use. Indeed, without our Policy, the Quid would arguably be a weekly copy and paste session, freely disseminating information amongst our intimate readership with no consequences in the event of questionable and possibly inflammatory verbiage. Not only do we need a minimum standard, we need one that is beyond the bare legal minimum. Our Faculty deserves no less. And, if anything, our history has shown us that the Quidreadership has demanded no less either.

The Policy was applied to the submission in question when it was received. The sequence of events as recounted in Mr. Bottomer's article may not be entirely clear, but, per the Policy, the author was told of concerns flagged by the Reviewers and withdrew the submission—this prior to any conveyance of specific proposed changes.

In this case there was no rejection of the article (recall that only ONE has been rejected in the past three years) and, for what it's worth, withdrawals such as this seldom occur. We think with that track record, our Policy hardly qualifies as censorship and all that connotes - indeed, Mr. Bottomer himself acknowledges "Many of you might be surprised to hear that the Quid even has a formal policy on the acceptance of submissions. I certainly was."

The Policy has not served as an insurmountable bar to entry, and combined with the feedback we've received, you're comfortable with the content in the Quid and enjoy your weekly reading. To us, this means the Policy is working. Of course, whether or not there should be a separate policy on quality of articles is a different question for a different day...

In closing, recall that anyone on Quid staff can propose changes to the Policy - and if any reader has a concern about the Policy or a specific recommendation to make, we are more than willing to listen - just as we always have, and as we always will.

